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MUNICIPAL DOCUMENT

BY-LAWS OF THE CITY OF  
HAMILTON

02-307







**City of Hamilton**

**BY-LAW NO. 02-307**

Being a By-law to impose a sewer rate under Section 221 and Subsection 210(85) of the Municipal Act, R.S.O. 1990, Chapter M.45 upon owners or occupants of land abutting a section of Fifty Road in the City of Hamilton.

**WHEREAS** a developer, Fifty Point Joint Venture Incorporated, in satisfaction of terms and conditions of the Subdivision Agreement dated September 6<sup>th</sup>, 2001 for a development known as Fifty Point, did construct a sanitary sewer system on land abutting Fifty Road from North Service Road to McCollum Road, in the City of Hamilton, hereinafter referred to as the "Sewer Works";

**AND WHEREAS** the Council of the City of Hamilton authorized the repayment of costs to the developer pursuant to the terms and conditions of the said Subdivision Agreement, by approving Item 29 of Committee of the Whole Report 02-030 on September 11<sup>th</sup>, 2002;

**AND WHEREAS** at the said meeting of September 11<sup>th</sup>, 2002 the Council also authorized the full cost of recovery of the capital costs for said Sewer Works by way of Section 221 of the Municipal Act by imposing a sewer rate upon the owners of land who derive, will derive, or may derive a benefit from the Sewer Works and full recovery of the capital costs for each service drain connection pursuant to Subsection 210(85) of the Municipal Act.

**AND WHEREAS** at the time of the passage of this By-law, the estimated capital cost of the Sewer Works is \$153,466.00 and the estimated capital cost of the construction for the service drain connections is \$41,279.00 totalling an estimated cost of \$194,745.00;

**NOW THEREFORE**, the Council of the City of Hamilton enacts as follows:

1. A sewer rate is hereby imposed, pursuant to Section 221(2) of the Municipal Act, as amended, upon the owners of land who derive, will derive or may derive a benefit from the construction of the sewage works, hereinafter referred to as "Assessed Owners".
2. The Assessed Owners' lands and the estimated sewer rate are more particularly described in Schedule "A" hereto, which Schedule forms part of this By-law.





3. The Assessed Owners consist of twenty-two (22) single-family residential properties and an additional seven (7) residential properties to which the developer continues to own. Two of the Assessed Owners' lands, located at 508 and 526 Fifty Road respectively, have been assessed as benefiting to the equivalent of two of the other properties and therefore have been assessed as two properties, respectively. There is the equivalent of thirty-one (31) Assessed Owners' lands.
4. In addition, one existing property located at 589 Fifty Road has a portion of the property, which has plans for future residential development but is currently being used commercially. This property has been assessed proportionately as a commercial and residential property. An additional charge to the sewer rate has been assessed at an estimated cost of \$23,187.00 that is based on the proportionate frontage of the commercial portion of the property. The additional assessed costs will be payable as a condition of any future development agreement entered into for this portion of the property. This commercial portion of the property has been identified as 589A Fifty Road in Schedule "A".
5. The sewer rate has been established using the approved method for cost apportionment per City of Hamilton Report TOE02005 (Funding Methodologies for Municipal Infrastructure Extensions) and has been calculated assuming an equal benefit to each equivalent residential lot. This sewer rate is considered fair.
6. The sewer rate for the connecting Sewer Works, to service the equivalent of thirty-one (31) Assessed Owners land at an estimated cost of \$153,480.00 shall be attributed to each Assessed Owners' land at an estimated sewer rate of \$4,203.00 plus an additional \$23,187.00 for the commercial portion of 589 Fifty Road as described in Section 4 of this By-law.
7. In addition to the sewer rate, the estimated capital cost of the construction for each private service drain connection to the Sewer Works is \$1,423.00 per connection; the cost of which will be added to the sewer rate pursuant to Subsection 210(85) of the Municipal Act. There are twenty-nine (29) service drain connections (two additional service drain connections relating to 508 and 526 Fifty Road have already been constructed with the developer receiving the appropriate compensation) with an estimated total cost of \$41,267.00.
8. The charge resulting from the application of the sewer rate and cost of the service drain connection, hereinafter, the "Indebtedness", shall be due and payable at the time of the issuance of the sewer construction permit, in addition to the regular permit fee.



The following table shows the results of the survey conducted in 1998. The table is divided into two main sections: 'General Information' and 'Detailed Information'. The 'General Information' section includes data on the number of respondents, the age distribution, and the gender distribution. The 'Detailed Information' section includes data on the frequency of use, the reasons for use, and the perceived benefits of the product.

The survey results indicate that the majority of respondents are in the 18-35 age range, with a slightly higher proportion of females than males. The data also shows that the product is used frequently by most respondents, and that the primary reasons for use are related to its effectiveness and ease of use. Furthermore, the perceived benefits of the product are highly rated by the respondents, particularly in terms of its ability to improve skin health and reduce the appearance of wrinkles.

The survey also found that the product is most commonly used by those who are concerned about their skin's appearance and who are looking for a natural, non-invasive solution. The results suggest that the product is well-suited for individuals who are seeking a gentle yet effective way to maintain their skin's health and vitality.

In conclusion, the survey results demonstrate the popularity and effectiveness of the product among its target audience. The data provides valuable insights into the needs and preferences of potential users, which can be used to inform future product development and marketing efforts.

The survey also identified several key factors that influence the decision to use the product, including the perceived benefits, the ease of use, and the availability of the product. These findings can be used to develop targeted marketing campaigns that highlight the product's unique features and benefits, and to ensure that the product is readily accessible to those who are most likely to benefit from its use.

Overall, the survey results provide a comprehensive overview of the product's usage and the factors that drive its popularity. The data suggests that the product is a valuable addition to the skincare market, and that it has the potential to continue to grow and thrive in the years to come.



9. The Assessed Owners who connect to the Sewer Works have the option of paying the sewer rate and service drain connection charge by way of annual payments over a period of fifteen (15) years by entry on the collector's roll, to be collected in the same way, as municipal taxes are collected. The interest rate utilized for the 15 year payment shall be the annual interest rate approved for the City's Municipal Act Program (2002 rate – 6.25%) or the Council approved rate substituted therefor.
10. Notwithstanding Section 9, an Assessed Owner may pay the commuted value of the Indebtedness at any time.
11. The sewer rate shall be indexed annually in accordance with the percentage change in the composite Canadata Construction Cost Index (Ontario Series), commencing one year from the date of the passage of this By-law.
12. The sewer rate and the resulting Indebtedness imposed by this By-law shall be a lien and charge upon the Assessed Owner's lands and, if the Indebtedness, or any portion thereof, remains unpaid after the due date established in section 5 or section 6 herein, the unpaid amount may be entered on the collector's roll and collected in the same manner as municipal taxes.
13. If the Assessed Owner severs or subdivides his or her parcel of land, then the remaining balance of the Indebtedness owed to the City, whether the subject land is connected to the Sewer Works or not, shall be paid to the City as a condition of severance or subdivision approval.
14. The developer has retained ownership of property that is the equivalent of seven (7) Assessed Owners' land and which the sewer rate assessment equivalent to these seven properties including the cost of seven (7) service drain connections is an estimated total cost of \$39,382.00. This estimated total sewer rate is to be included in the calculations as a credit to the City, for the costs to be repaid to the developer pursuant to the terms of the Subdivision Agreement referred to herein.
15. The developer, upon satisfying the City that it has completed its obligations with respect to the construction of the Sewer Works and service drains connections for the Assessed Owners lands, shall receive repayment of the associated costs pursuant to the terms and conditions of the said Subdivision Agreement, the terms outlined Section 14 herein and is authorized by the Council of the City of Hamilton.

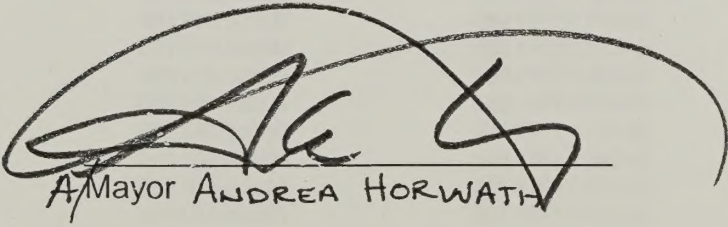




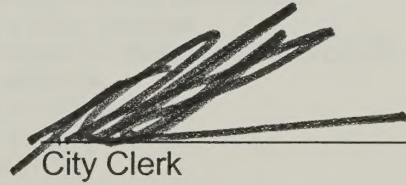


16. If any provision or requirement of this By-law, or the application thereof to any person or land shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of this By-law, or the application of such provisions or requirements to all persons and lands other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected thereby and each provision and requirement of this By-law shall be separately valid and enforceable.
17. This By-law shall come into force and take effect on the day following the date of its passing and enactment.

PASSED and ENACTED this 13<sup>th</sup> day of November, 2002.



A Mayor ANDREA HORWATH



City Clerk



It is the policy of the Department of the Interior to provide for the conservation and management of the natural resources of the United States. This policy is based on the principle that the natural resources of the United States are the property of the people and should be managed for the benefit of the present and future generations. The Department of the Interior is responsible for the management of the public lands and resources of the United States. It is the duty of the Department to protect and conserve the natural resources of the United States and to provide for the enjoyment of the public. The Department of the Interior is committed to the protection and conservation of the natural resources of the United States and to the management of the public lands and resources of the United States.

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APPROVED AND FORWARDED: [Signature]

[Signature]

[Signature]



SCHEDULE -A- TO BY-LAW NO.

SANITARY SEWER ON FIFTY ROAD FROM NORTH SERVICE ROAD TO MCCOLLUM ROAD

TOTAL ESTIMATE SEWER RATE: \$5,626.00 (INCLUDES PRIVATE SERVICE DRAIN CONNECTION ESTIMATED AT \$1,423.00 EACH)

| ASSESSMENT ROLL NUMBER | PROPERTY ADDRESS   | ASSESSED OWNER                       | SEWER RATE (\$) |
|------------------------|--------------------|--------------------------------------|-----------------|
| 003 010 00400          | 502 FIFTY ROAD     | WILLIAM & NANCY GRILLS               | 5,626.00        |
| 003 010 00600          | 508 FIFTY ROAD     | HOWARD & JACQUELINE AIRD             | 5,626.00        |
| 003 010 00600          | *508A FIFTY ROAD   | HOWARD & JACQUELINE AIRD             | 4,203.00        |
| 003 010 01000          | 516 FIFTY ROAD     | SOMKIAT SENG DY                      | 5,626.00        |
| 003 010 01200          | 520 FIFTY ROAD     | MICHAEL GOULET                       | 5,626.00        |
| 003 010 01400          | 526 FIFTY ROAD     | SYLVIA BOSANAC IN TRUST              | 5,626.00        |
| 003 010 01400          | *526A FIFTY ROAD   | SYLVIA BOSANAC IN TRUST              | 4,203.00        |
|                        | LOT 111 FIFTY ROAD | FIFTY RD. JOINT VENTURE INC          | 5,626.00        |
|                        | LOT 112 FIFTY ROAD | FIFTY RD. JOINT VENTURE INC          | 5,626.00        |
|                        | LOT 113 FIFTY ROAD | FIFTY RD. JOINT VENTURE INC          | 5,626.00        |
|                        | 558 FIFTY ROAD     | FIFTY RD. JOINT VENTURE INC          | 5,626.00        |
|                        | LOT 122 FIFTY ROAD | FIFTY RD. JOINT VENTURE INC          | 5,626.00        |
|                        | 588 FIFTY ROAD     | FIFTY RD. JOINT VENTURE INC          | 5,626.00        |
|                        | 584 FIFTY ROAD     | FIFTY RD. JOINT VENTURE INC          | 5,626.00        |
| 003 010 01800          | 548 FIFTY ROAD     | ALEX & OLGA TELEGUINE                | 5,626.00        |
| 003 010 02000          | 552 FIFTY ROAD     | CATHERINE & MICHAEL LANDKROON        | 5,626.00        |
| 003 010 02200          | 556 FIFTY ROAD     | MURRAY & ANNE BREMER                 | 5,626.00        |
| 003 010 02600          | 560 FIFTY ROAD     | FISHER KENNETH FISHER & SHARON LEWIS | 5,626.00        |
| 003 010 02800          | 562 FIFTY ROAD     | JOSEPH SIDORUK                       | 5,626.00        |
| 003 010 03000          | 572 FIFTY ROAD     | JAMES & JANICE MCISAAC               | 5,626.00        |
| 003 010 03100          | 576 FIFTY ROAD     | JAMES & SHELLEY SWICK                | 5,626.00        |
| 003 010 03200          | 580 FIFTY ROAD     | KATHRYN VIEIRA                       | 5,626.00        |
| 003 010 36200          | 527 FIFTY ROAD     | LINDA LEBRANC                        | 5,626.00        |
| 003 010 36400          | 529 FIFTY ROAD     | WAYNE & LAURA GRADY                  | 5,626.00        |
| 003 010 36600          | 531 FIFTY ROAD     | MARY SCHATZ                          | 5,626.00        |
| 003 010 36800          | 533 FIFTY ROAD     | JOHN & HELEN SUDAC                   | 5,626.00        |
| 003 010 37000          | 537 FIFTY ROAD     | WALTER & STEPHEN BELOWOS             | 5,626.00        |
| 003 010 37200          | 541 FIFTY ROAD     | LINO & FRANCES GIAVEDONI             | 5,626.00        |
| 003 010 37400          | 545 FIFTY ROAD     | STEVEN GIAVENDONA                    | 5,626.00        |
| 003 010 37600          | 589 FIFTY ROAD     | ROSEMARIE & SCOTT DEVRIES            | 5,626.00        |
| 003 010 37600          | **589A FIFTY ROAD  | ROSEMARIE & SCOTT DEVRIES            | 23,187.00       |
| 003 010 37800          | 3 FALCON ROAD      | LARRY CRYDERMAN                      | 5,626.00        |
| TOTAL                  |                    |                                      | 194,747.00      |

\* No fee to be collected for the private service drain connection for these units since they already exist on site and costs were paid directly to the developer.

\*\* Has been assessed on a non-residential basis. Costs payable as a condition of future development. See Section 4 of this By-law.





City of Hamilton

BY-LAW NO. 02-308

To Designate:

**LAND LOCATED AT MUNICIPAL NO. 135 Fennell Avenue West, Hamilton,  
Ontario**

As Property of:

**HISTORIC AND ARCHITECTURAL VALUE AND INTEREST**

**WHEREAS** the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18;

**AND WHEREAS** no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

**AND WHEREAS** it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

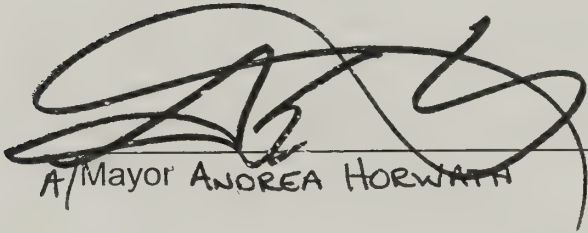
1. The property located at Municipal No. 135 Fennell Avenue West, Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.
2. The Corporate Counsel is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
  - (i) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Foundation by personal service or by registered mail;



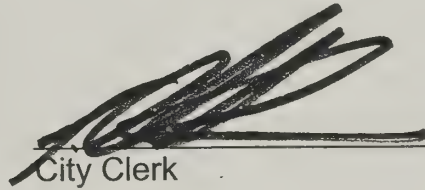


- (ii) to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

PASSED and enacted this 13<sup>th</sup> day of November, 2002.



A/Mayor ANDREA HORWATH



City Clerk





Schedule "A"  
To  
By-Law No. 02-308

135 Fennell Avenue West, Hamilton, Ontario

Part Lots 16, 17 and 18, Concession 5, Barton, Part 1, 2, 3, 4, 5 and 6 on Plan 62R-2887, except Parts 1, 2 and 3 on 62R-6829; Part of the Road Allowance between Lots 16 and 17, Concession 5, Barton, closed by by-law HL62017, being Part 7, 62R-2887, except Part 2 on Plan 62R-6829; subject to HL144747, HL253794, Hamilton

PIN (Property Identification No.) 17044-0001(LT)





Psychiatric hospitals throughout North America in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries were usually located away from built-up areas in quiet, salubrious rural environments. Such institutions were planned and functioned as self-sufficient communities; hence, agriculture was essential to their operation. To meet the food requirements of patients and staff, farming activities ranged from raising livestock (for meat and dairy products) to growing grains, fruit and vegetables. The first farm buildings, including a wood root-house, were located south of the main building on the north side of the road which is now Fennell Avenue West. When the original Asylum property was found to be insufficient for farming purposes, additional land was purchased to the south: 95 acres in 1888 and 8 acres in 1890. The latter included the Andrew homestead, which was most likely the two-storey farmhouse located to the west of the root cellar. The first three farm buildings to be constructed in 1891 were the root cellar, horse stable and barn. An orchard and vegetable garden were situated to the west. Just after the turn-of-the-century, this building cluster included a slaughterhouse constructed of brick, a stone implement shed, a metal cattle barn, two stone silos and some smaller outbuildings. In 1909, 176 acres of farmland, known as Hickory Farm, was acquired to the south. When agricultural activities ceased in the early 1960s, the redundant farmland was sold off and buildings demolished to make way for new development. The root cellar and the potting shed (on the present-day hospital grounds) are the only surviving remnants of the agricultural component of the hospital's operation. The root cellar is also one of only two remaining historic buildings associated with the former Hamilton Psychiatric Hospital and now located on the grounds of Mohawk College. (The other one is a substantial 2-storey brick dwelling facing Fennell Avenue and located close to the western boundary of the hospital property, near Hillfield-Strathallen College.)

### **Architectural Value: Design and Construction of the Root Cellar**

Before the widespread use of refrigeration the root cellar, along with the ice house and the spring house, were common types of food storage facilities. Primarily used for the storage of root vegetables, apples and other garden produce suitable for long-term storage, the root cellar was designed to maintain a fairly constant temperature: cool in summer and above freezing in winter. To provide this insulation, root cellars built as free-standing structures were usually buried partially or entirely underground and were commonly built with exterior stone walls. Some of the more elaborate structures had vaulted brick or stone interiors designed to maximize the insulation value of the cellar.

The former Hamilton Asylum root cellar was an extremely well built structure designed by the well-known Department of Public Works Ontario architect, Kivas Tully. It was built to a rectangular plan and oriented on a north-south axis to Fennell Avenue. The building form comprised a long, low, one-storey structure with wings at each end (originally serving as entrance and exit ramps for wagons bringing in and taking out garden produce) and a continuous wide-eaved, shallow-pitched gable roof. The exterior walls are rubblestone masonry. The existing corrugated steel roof installed in the late 1970s replaced an asphalt-



shingled roof, which was an earlier replacement for the original wood-shingled roof. The main section of the building was sunk about five feet below grade for better insulation value. The most significant architectural feature of the building is its impressive vaulted interior construction. A brick barrel-vaulted ceiling is sprung from two rows of nine barrel-vaulted alcoves, which originally served as storage bins. Each round arch comprises three rows of brick masonry sprung from piers measuring 1 and 1/2 bricks in width and the exposed stone foundation walls at each end.

*The Cellar* is one of only a few surviving institutional root cellars in the province, and possibly the only one with a vaulted interior. Two other known examples connected with other psychiatric hospitals in Ontario are a largely underground root cellar built for the Brockville Asylum and a similar one built for Lakeshore Mimico Asylum (both without vaulted interiors).

#### Adaptive Re-Use of the Root Cellar as a Pub

Gerrie & Butler, the architectural firm responsible for the design of the first campus building complex, also designed the first student centre and the conversion of the root cellar into a pub. As the structure was well-suited to this new use, only minimal alterations/ additions were required, such as the creation of entrance stairwells at each end, the installation of concrete flooring and exposed mechanical ductwork. Since the new Student Centre was built in 1986, the stone root cellar has formed the east perimeter wall of Mitchell Terrace. An outside entrance to this courtyard from the main entrance driveway was created by the installation of a doorway on the west façade of the south wing. The east wall was entirely removed and a new wall section with a set of double doors built at the south end of the main structure. This entrance has been permanently closed since 1998. The original north entrance is now a fire exit and secondary entrance.

The adaptive re-use of the root cellar as a pub/ restaurant resulted in a number of interior alterations. The main entrance is now from the lower level of Alumni Hall (in the centre of the east wall of *The Cellar*). A secondary entrance at the lower level was created by extending the space beyond the new upper south wall to connect *The Cellar* to *The Arnie*. Non-heritage components added in 1974 or 1985-6 are identified below (see exclusions in Designated Features). There has been only one structural change to the barrel-vaulted masonry: the removal of one section of the long barrel vault at the south end (pub entrance) undertaken at the time that exterior alterations were made to link the root cellar to the new Student Centre and create an outside entrance to the enclosed courtyard.

#### Designated Features

The former root cellar at 135 Fennell Avenue West is designated for those historical and architectural values described in the foregoing, notably as a rare surviving example of an institutional root cellar associated with the historical development of an asylums in a rural setting and the architect KivasTully.





Important to the preservation of the former root cellar are:

- The original building form including the architectural features of the north, east and west facades, comprising the stone masonry walls with arched windows, the wood-framed entrance opening on the north façade, and the broad gabled roof with wood fascia and soffits. Excluded are the modern fixed pane windows, all aluminum and glass entrance doors, and the corrugated steel roofing.
- The barrel-vaulted interior space with its long central vault sprung from two rows of barrel-vaulted alcoves, the brick masonry piers, arches and walls, stone walls of the alcoves (hidden by bench seating and mirrors) and exposed stone foundation walls at each end. Excluded are all modern additions and finishes, including the concrete floor, mirrors and built-in wood benches fixed to the original stone walls of the alcoves, mechanical ductwork, bar counter, lighting fixtures, the platform supported on stainless steel posts (originally terminated by a stairway), and the three sets of modern interior entrance doors.





City of Hamilton

BY-LAW No. 02-309

Respecting:

Removal of Part Lot Control  
Block 19 – Plan 62M-693, “Abbey Hill Farm – Phase 2”

**WHEREAS** the Planning Act, (R.S.O. 1990, Chapter P.13 sec. 50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.



(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

**AND WHEREAS** the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

**AND WHEREAS** the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

**AND WHEREAS** as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

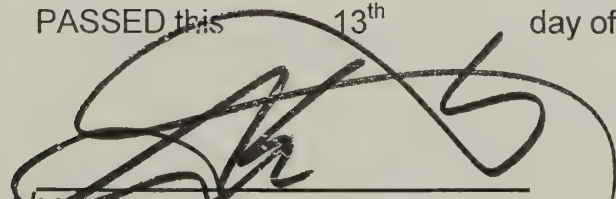
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of subdividing Block 19 into 4 parcels, shall not apply to the land within the portions of the registered plan of subdivision that are designated as follows:

Block 19, Plan 62M-693, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: November 1, 2004.

PASSED this 13<sup>th</sup> day of November 2002.

  
MAYOR ANDREA HORWATH

  
CITY CLERK





Bill No. 310

CITY OF HAMILTON

BY-LAW NO. 02-310

**To Amend Zoning By-law No. 6593  
Respecting Lands Located on the North Side of Barton Street West between  
Crooks Street and Magill Street**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

**AND WHEREAS** the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Section 5 of Report 02-029 of the Hearing Sub Committee at its meeting held on the 25<sup>th</sup> day of September, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-11 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,





- (a) by changing from "L-mr-1" (Planned Development – Multiple Residential) District to "RT-20" (Townhouse - Maisonette) District the lands comprised in Block "1" and Block "2",

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

- 2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to Block "1" and Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that:

- (a) Notwithstanding Section 18A.(1)(b) of Zoning By-law No. 6593, a minimum of 5 visitor parking spaces shall be provided;

- 3. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to Block "1", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that:

- (a) Notwithstanding Section 10E.(4)(a) of Zoning By-law No. 6593, a front yard depth of at least 2.4 metres shall be provided and maintained;

- 4. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that:

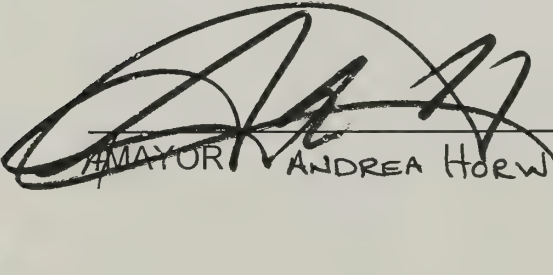
- (a) Notwithstanding Section 10E.(4)(b) of Zoning By-law No. 6593, a westerly side yard depth of at least 2.4 metres shall be provided and maintained;
- (b) Notwithstanding Section 10E.(8)(a) of Zoning By-law No. 6593, the required privacy area for the single family dwelling units shall consist of courtyards that are screened on one side by a garage at the front of the dwelling units;
- (c) Notwithstanding Section 18A.(29) of Zoning By-law No. 6593, the entrances for the parking spaces shall be located a minimum of 0.5 metres from the entrance to the individual driveway; and,
- (d) Notwithstanding Section 18.(4)(iv) of Zoning By-law No. 6593, a detached garage shall be permitted in the front yard.

- 5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District provisions, subject to the special requirements referred to in sections 2, 3, and 4.



6. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1478.
7. Sheet No. W-11 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1478.
8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

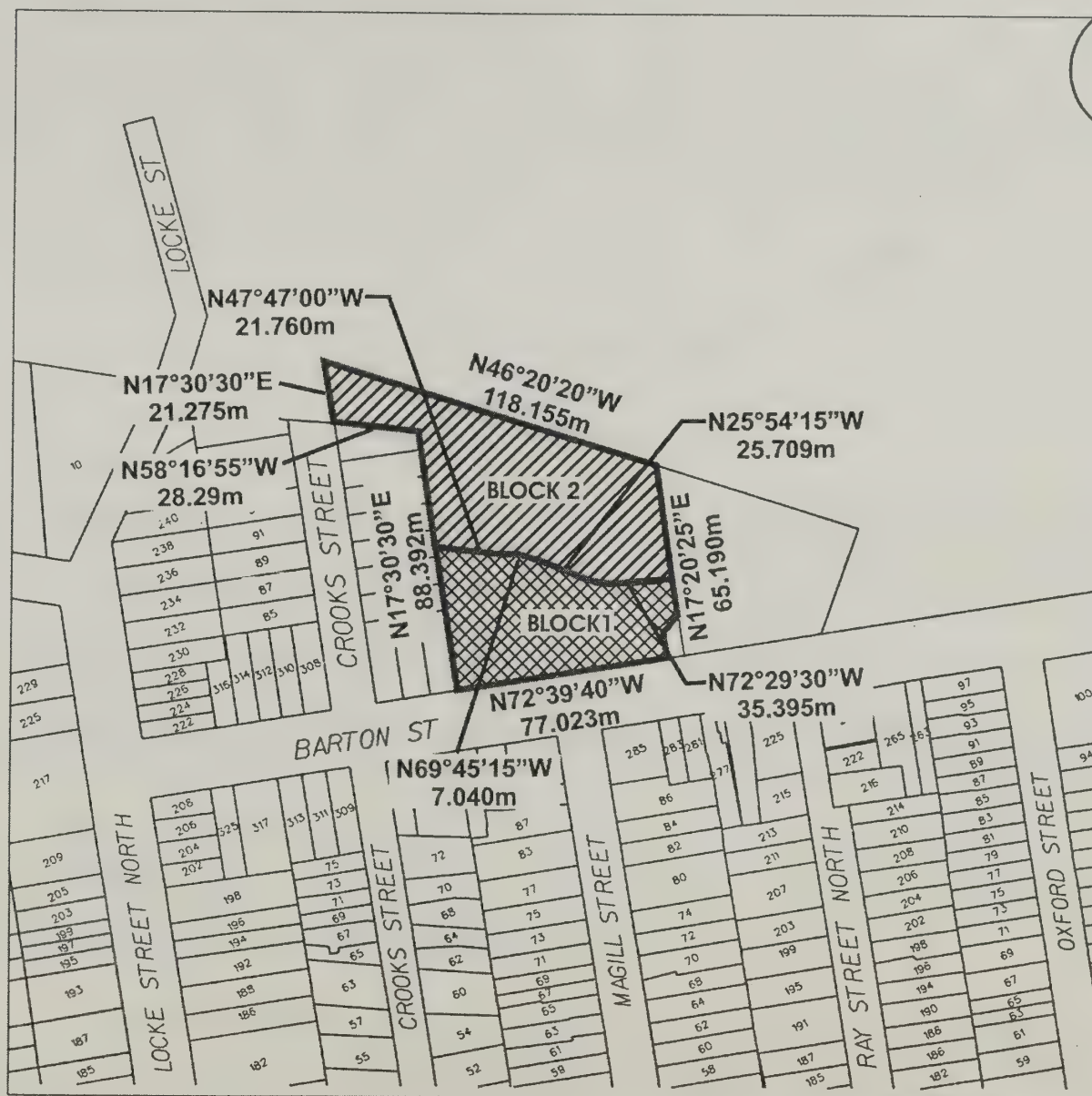
PASSED and ENACTED this 13<sup>th</sup> day of November, 2002.

  
MAYOR ANDREA HORWATH

  
CLERK







This is Schedule "A" to By-Law No. 02 -310.....

Passed the 13th day of November, 2002.

*[Signature]*  
Clerk

*[Signature]*  
Mayor ANDREA HORWATH

## Schedule "A"

Map Forming Part of  
By-Law No. 02-310

to Amend By-Law No. 6593



HAMILTON

Planning and Development Department

### Subject Property



Block 1- Change in zoning from "L-mr-1"  
(Planned Development- Multiple  
Residential) District to "RT-20"  
(Townhouse - Maisonette) District,  
Modified



Block 2- Change in zoning from "L-mr-1"  
(Planned Development- Multiple  
Residential) District to "RT-20"  
(Townhouse - Maisonette) District,  
Modified

North



Scale

NOT TO SCALE

Date

October 29, 2002

Reference File No.

ZAC-02-37

Drawn By

LM



**Authority:** Item 5, Committee of the Whole  
Report 02-037 (PD02212)  
CM: November 13, 2002

**Bill No. 311**

## **CITY OF HAMILTON**

### **BY-LAW NO. 02-311**

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended by Ontario  
Municipal Board Order No. 1833  
Respecting Lands Located at 1430 & 1472 2<sup>nd</sup> Concession Road West  
(former Town of Flamborough)  
Owned by Copetown Woods Golf Club Inc. and Hydro One Networks Inc.**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

**AND WHEREAS** the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

**AND WHEREAS** this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough).

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

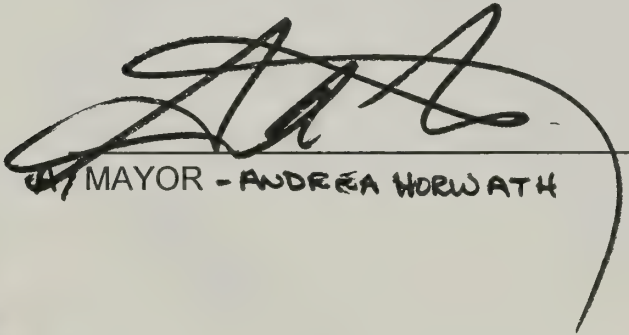
1. Schedule "A-25" of Zoning By-law No. 90-145-Z (Flamborough), as amended by Ontario Municipal Board Order No. 1833, is hereby amended by changing from the Recreational Open Space Holding "03-8 (H)" Zone to Recreational Open Space "03-8" Zone by removing the suffix "H" for those lands located at 1430 & 1472 2<sup>nd</sup> Concession Road West more particularly shown on Schedule "A" which forms part of this By-law.



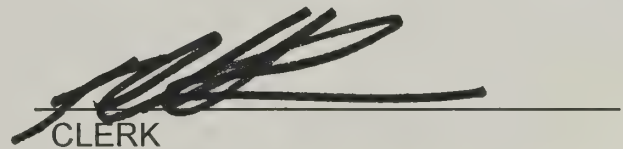


2. All other regulations of Section 26 – Recreational Open Space “03” Zone, as amended and the General Provisions of Zoning By-law 90-145-Z (Flamborough) shall continue to apply.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 11<sup>th</sup> day of November, 2002.

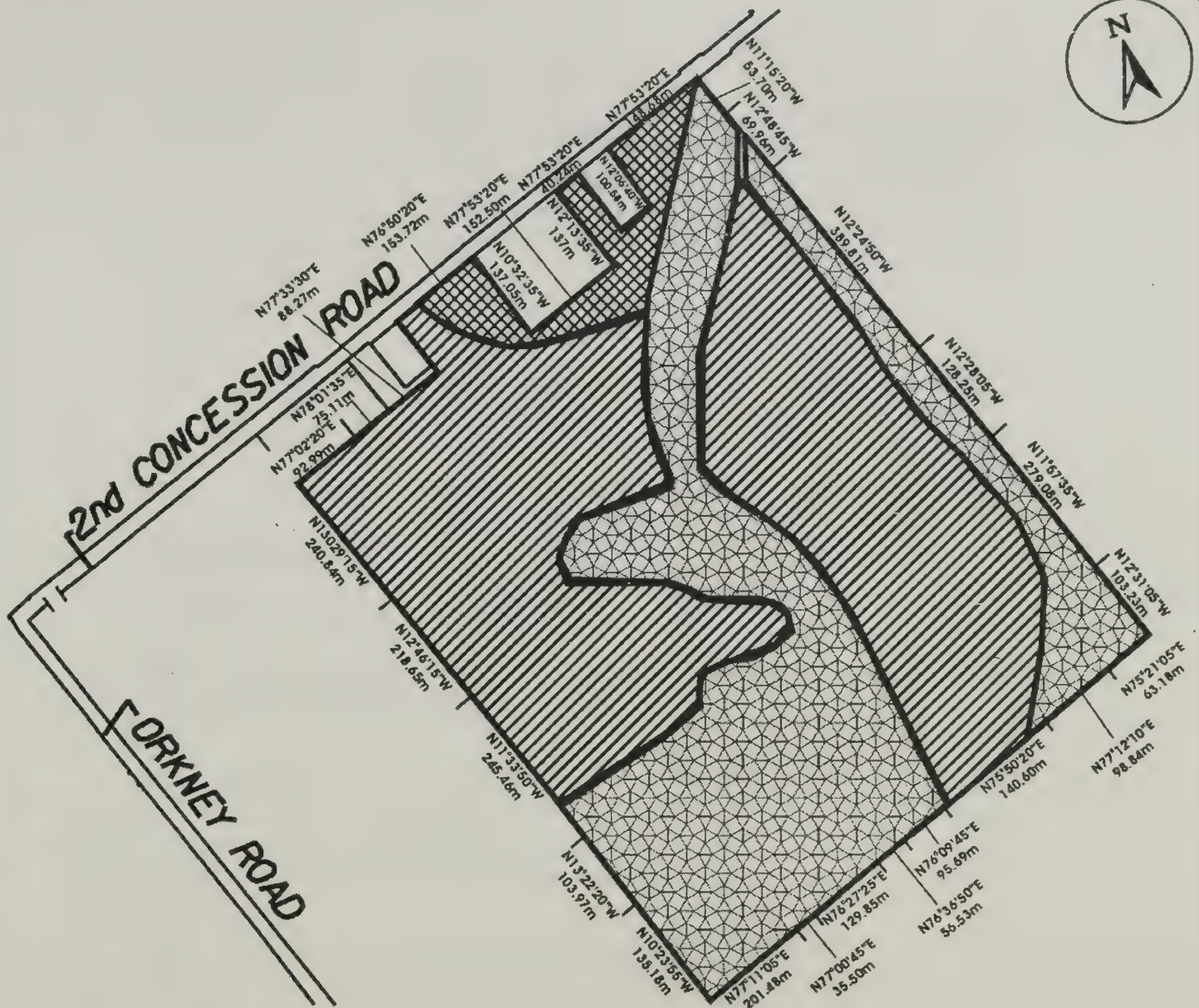


MAYOR - ANDREA HORWATH



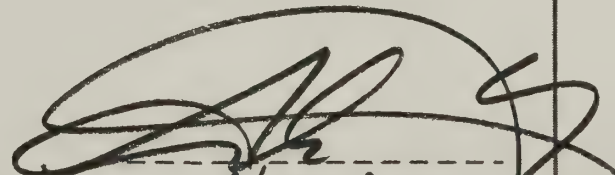
CLERK





This is Schedule "A" to By-Law No. 02 -02-311.....  
Passed the 13th day of November, 2002.

  
Clerk

  
A/ Mayor - ANDREA HORWATH

## Schedule "A"

Map Forming Part of  
By-Law No. 02- 311  
to Amend By-Law No. 90-145-Z



Hamilton

Planning and Development Department

### Legend



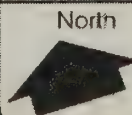
Change in zoning to remove the Holding  
'H' Provision from the Recreational Open  
Space "O3-8(H)" Zone at  
1430 & 1472 2<sup>nd</sup> Concession Rd. W



Lands to Remain "CM" Conservation  
Management



Lands to Remain "A" Agricultural



Scale  
NOT TO SCALE

Date  
October 17, 2002

Reference File No.  
ZAR-02-68

Drawn By  
NM





**Authority:** Item 5, Committee of the Whole  
Report 02-037 (PD02212)  
CM: November 13, 2002

**Bill No. 311**

**CITY OF HAMILTON**

**BY-LAW NO. 02-311**

**To Amend Zoning By-law No. 90-145-Z (Flamborough), as amended by Ontario  
Municipal Board Order No. 1833  
Respecting Lands Located at 1430 & 1472 2<sup>nd</sup> Concession Road West  
(former Town of Flamborough)  
Owned by Copetown Woods Golf Club Inc. and Hydro One Networks Inc.**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

**AND WHEREAS** the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

**AND WHEREAS** this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Flamborough).

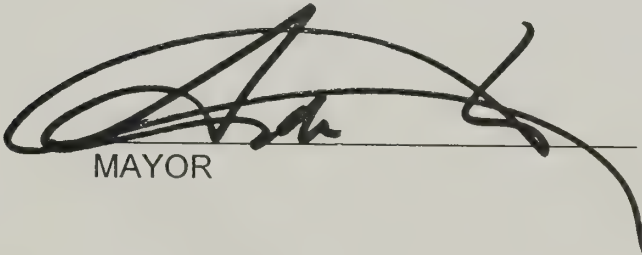
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule "A-25" of Zoning By-law No. 90-145-Z (Flamborough), as amended by Ontario Municipal Board Order No. 1833, is hereby amended by changing from the Recreational Open Space Holding "03-8 (H)" Zone to Recreational Open Space "03-8" Zone by removing the suffix "H" for those lands located at 1430 & 1472 2<sup>nd</sup> Concession Road West more particularly shown on Schedule "A" which forms part of this By-law.



2. All other regulations of Section 26 – Recreational Open Space “03” Zone, as amended and the General Provisions of Zoning By-law 90-145-Z (Flamborough) shall continue to apply.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 13<sup>th</sup> day of November, 2002 .



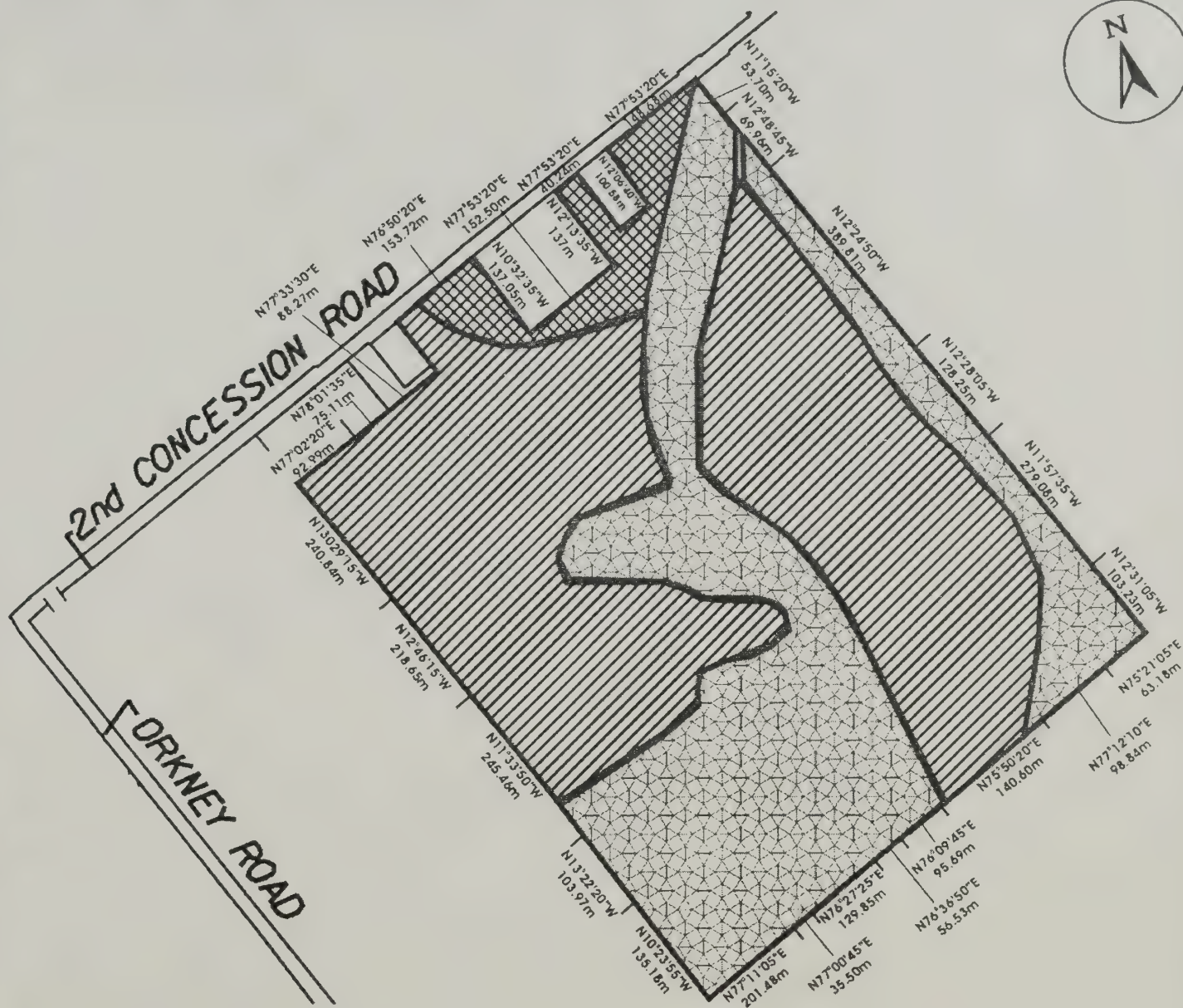
MAYOR



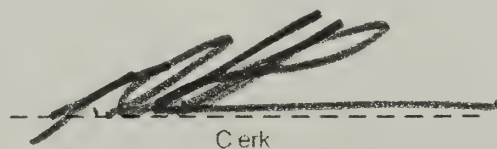
CLERK

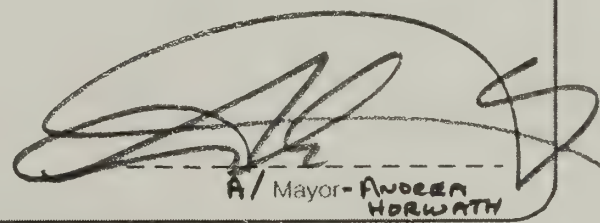






This is Schedule "A" to By-Law No. 02-02-311.....  
Passed the 13th day of November..... 2002.

  
Clerk

  
A/ Mayor - ANDREA HORWATH

## Schedule "A"

Map Forming Part of  
By-Law No. 02-311

to Amend By-Law No. 90-145-Z



Hamilton

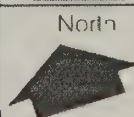
Planning and Development Department

### Legend

 Change in zoning to remove the Holding 'H' Provision from the Recreational Open Space "O3-8(H)" Zone at 1430 & 1472 2nd Concession Rd. W

 Lands to Remain "CM" Conservation Management

 Lands to Remain "A" Agricultural



Scale  
NOT TO SCALE

Date  
October 17, 2002

Reference File No  
ZAR-02-68

Drawn By  
NM



**THE CITY OF HAMILTON  
BY-LAW NO. 02-312**

**Being a By-law to Implement a Rural Signage Program  
in Conjunction with the City of Hamilton Addressing System**

**WHEREAS** Council deems it necessary to enact a single by-law providing for a rural signage program for the numbering of buildings along highways and for affixing numbers for property identification in conjunction with the Urban and Rural City Addressing System;

**AND WHEREAS** the purpose of such rural signage program is to reduce emergency response time and to assist all emergency services including police, fire and ambulance services, by having uniform signs located and displayed in accordance with this by-law to provide clearly identifiable address numbers visible to emergency vehicles travelling in any direction at any time on a highway or street;

**AND WHEREAS** paragraph 112 of Section 210, of the Municipal Act, R.S.O. 1990, Chapter M.45 provides,

"For numbering the buildings and lots along any highway, beach, park, reserve or any other property in the municipality that it is considered necessary to number by the council, and for affixing numbers to the buildings and for charging the owner or occupant with the expense incident to the numbering of the lot or property.

- (a) Such expense may be collected in the same manner as taxes, and, if paid by the occupant, subject to any agreement between the occupant and the owner, may be deducted from the rent payable to the owner."

**AND WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sched. C, did incorporate, as of January 1<sup>st</sup>, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to the following former area municipalities: The Corporation of the Town of Ancaster; The Corporation of the Town of Dundas; The Corporation of the Town of Flamborough; The Corporation of the Township of Glanbrook; The Corporation of the City of Hamilton; and The Corporation of the City of Stoney Creek; (hereinafter referred to collectively as the "former area municipalities" and individually as a "former area municipality");





**AND WHEREAS** the City of Hamilton Act, 1999 provides that the By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**NOW THEREFORE**, The Council of the City of Hamilton enacts as follows:

### **SHORT TITLE**

1. This By-law may be cited as the "Rural Municipal Numbering By-law".

### **DEFINITIONS AND INTERPRETATION**

2. (1) In this By-law,

- (a) "**building**" means a structure occupying an area greater than 10 square metres (one-hundred and seven square feet) consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto, and may include an addition to any existing **building**;

- (b) "**Chief Building Official**" means the **Chief Building Official** of the **City** of Hamilton appointed under Section 3 (2) of the Building Code Act, S.O. 1992, c. 23, as amended, and for purposes of this by-law includes his/her designate(s);

- (c) "**City**" means The **City** of Hamilton;

- (d) "**Fire Chief**" means the **Fire Chief** of the **City** of Hamilton appointed under Subsection 6 (1) of the Fire Protection and Prevention Act, S.O. 1997, c. 4, as amended, and for purposes of this by-law includes his/her designate(s);

- (e) "**lot**" includes a parcel of land which is capable of being legally conveyed in accordance with the provisions of the Planning Act, S.O. 1990, c. P.13;

- (f) "**city addressing system**" means the method by which the **City** applies **City** numbers to **lots** within the **City** of Hamilton. This shall be done in accordance with the mapping as prepared by the General Manager, Planning and Development as amended from time to time;

- (g) "**owner**" includes the registered **owner**, condominium corporation, assessed **owner**, occupant, tenant, person for the time being managing or receiving the rent of the property whether on his/her own account or as an agent or trustee or on account of any other person;



- (h) “**property identification sign**” means a sign required under this by-law which shall be fastened to a **street** post and installed in accordance with **City** standards;
  - (i) “**rural**” means those lands in the **City** which are located outside both the ‘**Urban Area**’ and ‘**Rural Settlement Area**’ boundaries in the **City** of Hamilton, and for purposes of this by-law shall include those lands in an ‘agricultural’ and/or ‘country’ setting;
  - (j) “**street**” means any public highway as defined in the Municipal Act, R.S.O. 1990, c. M.45, as amended; and
  - (k) “**urban**” means those lands in the **City** which are located within both the ‘**Urban Area**’ and ‘**Rural Settlement Area**’ boundaries in the **City** of Hamilton, and for purposes of this by-law shall include those lands in an ‘inner-city’ and/or ‘built-up’ area setting.
- (2) Where this by-law provides both metric and imperial measurement for the same item, the imperial measurement is provided for convenience only and is approximate.

### PREVIOUSLY INSTALLED PROPERTY IDENTIFICATION SIGNS

- 3. (1) Subject to Subsection (2), where a **property identification sign** has been installed under a **rural** municipal numbering by-law previously in force in one of the former area municipalities and the sign is maintained in good repair, such sign shall be deemed to be in compliance with this by-law.
- (2) Where the previously installed **property identification sign** in Subsection (1) is subsequently replaced, the **owner** or his/her agent shall replace and position the sign with a **property identification sign** in compliance with the requirements and standards specified in the remainder of this by-law.

### GENERAL REQUIREMENTS FOR PROPERTY IDENTIFICATION SIGNS

- 4. The **City** address number, for other than those **buildings** which have already been assigned a **City** address number, shall be assigned by the Planning and Development Department in accordance with the **city addressing system**.
- 5. The **owner** of every **building**, located on a **lot** in a **rural** area shall install or have installed a **property identification sign**, which services may be performed by the **City** upon payment of the fee(s) as prescribed in ‘The Fees For Services/Activities By-law’. Such sign shall be installed in accordance with the provisions of this by-law and consistent with the ‘**Property Identification Sign Placement**’ diagram on attached Schedule “A”.





6. Notwithstanding the provisions of Section 5, no person shall install a post for the **property identification sign**, unless and until underground service locates have been undertaken by the relevant utilities to determine that the post may be installed in safety and without damage to services.
7. All **owners** of land and **buildings**, within the **rural** area as defined above are required to comply with the provisions of this by-law.
8. No person shall install or affix a **property identification sign** required pursuant to the provisions of this by-law except in accordance with the requirements set out in this by-law.
9. The **property identification sign** shall be:
  - (1) a minimum of 125 millimetres (five inches) high, by 405 millimetres (sixteen inches) wide;
  - (2) supplied by the **City**, and printed or marked on painted or coated steel or such other durable material as may be specified by the **City**;
  - (3) composed of 10 centimetre (four inch) high white retro-reflective numbers on a green retro-reflective background;
  - (4) affixed, to a steel post of the size and configuration supplied by the **City**, and at a height being from the grade at the base of the post to the top of the **property identification sign**, of not less than 1.0 metre (three feet three inches) and not greater than 1.22 metres (four feet);
  - (5) located on the municipal road allowance in front of the **lot** upon which the **building** is situated in a manner clearly visible to traffic travelling at any time and from any direction on the **street** from which the **building** or **lot** has its main access;
  - (6) erected within 4.5 metres (fourteen feet nine inches) of the edge of the asphalt, or where gravel, the travelled portion of the **street** and within 4.5 metres (fourteen feet nine inches) of the left of the driveway upon entering such driveway. The **property identification sign** may be situated within the same guidelines on the opposite side of the driveway where approved by the Director, Roads and Traffic, or by so assigned staff; and
  - (7) constructed and located similarly to, and generally consistent with, the requirements of Subsections (1) through (6) of this Section if it is of a temporary nature pursuant to Section 10 (2) and Section 13 of this by-law.
10. (1) No person shall fail to have erected a **property identification sign** in accordance with the requirements of this by-law for a **lot** which is



owned and/or occupied and on which construction is taking place, by the earlier of:

(a) the commencement of occupancy of a **building** on the property; or

(b) within six (6) weeks of the issuance of a **Building** Permit respecting construction of a **building** on the property.

- (2) Notwithstanding the provisions of Section 5, 9 and 10 (1) of this by-law, the **owner** shall, where a **building** is under construction, display the **property identification sign** as a temporary sign made of durable material. Such sign shall be located on the **lot** in such a manner that it is clearly visible from the **street** from which the **building** has its main access. For purposes of this Subsection, temporary shall be deemed to be a period of not more than forty-five (45) days.
- (3) Subsection (1) does not apply to the construction of an addition to a **building** where the **property identification sign** is already displayed in accordance with the provision of this by-law.
11. (1) No person shall remove a **property identification sign** once it is posted.
- (2) Subsection (1) does not apply to an authorized employee or agent of the **City** removing the sign as part of their assigned duties.
12. Every property **owner** or occupant shall insure that the **property identification sign** is maintained in good repair in conformance with this by-law and in such a manner so as to be readable, clearly visible at all times from the adjacent roadway, and unobstructed by vegetation, structures, snow accumulation or any other screening.

### NOTICE

13. Where a **property identification sign** is found to be missing, in disrepair, damaged, removed or not installed in accordance with the provisions of this by-law, the **owner** or occupant of the property or **lot** shall be sent notice of such, and given forty-five (45) days from receipt of such notice to repair or replace such sign. In such circumstance the **owner** or occupant shall install a temporary sign forthwith, until a permanent replacement **property identification sign** is installed in accordance with the provisions of this by-law.
14. Where the **owner** of a **building** fails to affix the required **property identification sign**, or where such **owner** affixes the **property identification sign** without compliance with the provisions of this by-law and the period of





notice provided in Section 13 has passed, the Director, Roads and Traffic or his/her designate may:

- (1) remove the **property identification sign** affixed in contravention of the provisions of this by-law, and/or
- (2) affix the **property identification sign** in accordance with the provisions of this by-law.

### FEES

15. Replacement **property identification signs** and/or posts may be obtained from the **City** at the cost specified in 'The Fees for Services/Activities By-law'.
16. Where the **owner** upon having been given due notice and having failed to install, maintain, repair or replace such damaged, removed, missing, obstructed or incorrectly placed **property identification sign** within the required forty-five (45) days, the **City** may perform such work at a cost to the **owner** as indicated in 'The Fees for Services/Activities By-law'.
17. Where the Director, Roads and Traffic or his/her designate performs the work outlined in Sections 14 or 16, the costs so incurred may be collected in the same manner as municipal taxes.

### ENFORCEMENT

18. Administration and enforcement of this by-law shall be performed jointly by the **Chief Building Official** and/or the **Fire Chief** of the **City** of Hamilton.

### PENALTY

19. Every person who contravenes any of the provisions of this by-law is guilty of an offence and is liable upon conviction to a fine in accordance with the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

### SEVERABILITY

20. Should a court of competent jurisdiction declare a part or whole of any provision of this by-law to be invalid or of no force and effect, the provision or part is deemed severable from this by-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under law.

### REPEAL AND ENACTMENT

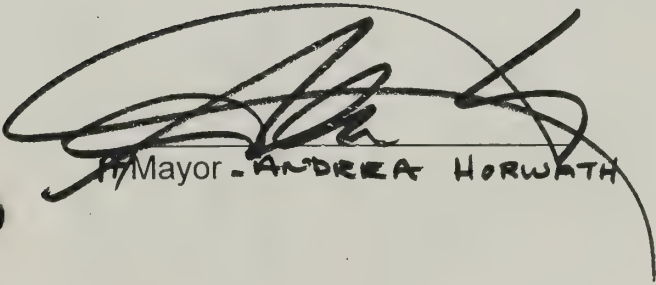
21. The following By-laws all as amended, of the named "former area municipalities" are hereby repealed:



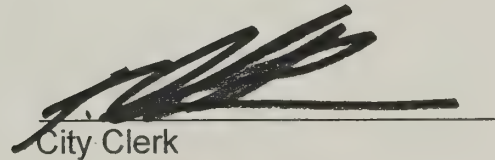
- (1) By-law No. 97-41 (Ancaster);
- (2) By-law No. 567-98 (Glanbrook);
- (3) By-law No. 98-86-S (Flamborough);
- (4) By-law No. 4899-99 (Stoney Creek).

22. This by-law shall come into force and effect on the date of enactment.

**ENACTED and PASSED** this 13<sup>th</sup> day of November, A.D. 2002



Mayor - ANDREA HORWATH



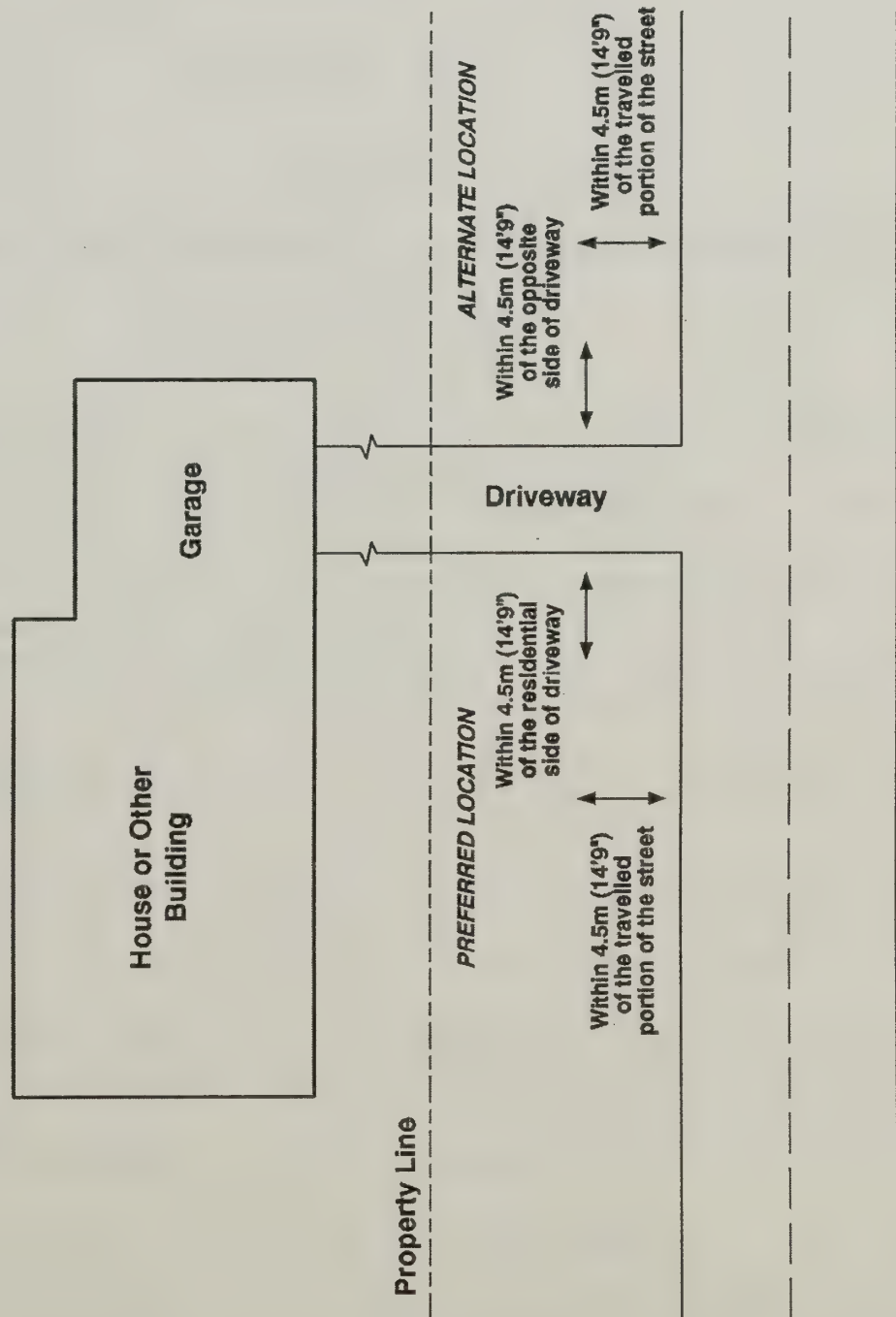
City Clerk





# City of Hamilton Rural Property Identification Sign Placement Diagram

City of Hamilton  
Schedule "A" to By-Law No. 02-312





**Bill No. 313**

**CITY OF HAMILTON**

**BY-LAW NO. 02-313**

**Respecting**

**Registered Plan of Subdivision 62M-670, Ancaster Industrial Park  
And  
Deeming Certain of its lots  
not to be subdivision lots**

**WHEREAS** the land described in Schedule A of this By-law is comprised of Lot 15 which is adjacent to lot 16 on registered plan number 62M-670;

**AND WHEREAS** the said two adjacent parcels may hereinafter be referred to as the adjacent "lots" on registered plan of subdivision number 62M-670;

**AND WHEREAS** these two lots are, at the time of passing this by-law, owned by Angelo Vecchi (hereinafter such owner may be referred to as the "Owner");

**AND WHEREAS** the Owner of the said two adjacent lots has applied to the City for Site Plan Approval for the two lots, which will share ingress/egress and parking on the site;

**AND WHEREAS** the City is prepared to pass this de-registration By-law provided the said two lots shall not, in future, be conveyed to different owners as separate and distinct lots of a plan of subdivision.

**AND WHEREAS** for the orderly development of the building upon the said two lots, it is appropriate that the said two lots cease to be recognized as lots within a registered plan of subdivision and that neither lot remain eligible for conveyance without the other adjacent lot;

**AND WHEREAS** section 50(3) of the Planning Act, (RSO.1990, Chapter 13) states that land may be conveyed where it is described in accordance with and is within a plan of subdivision;

**AND WHEREAS** section 50(4) of the Planning Act also states, in part, as follows:

**Designation of plans of subdivision not deemed registered**

The council of a local municipality may by By-law designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed not to be a registered plan of subdivision for the purposes of subsection (3).





**AND WHEREAS** registered Plan of Subdivision number 62M-670 has been registered for more than eight years, as it has been registered on August 27, 1990.

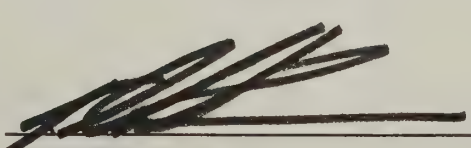
**AND WHEREAS** it is intended by the City to de-register the said two lots by passing this By-law, as authorized by section 50(4) of the Planning Act, to deem the said two lots as no longer lots "within a registered plan of subdivision".

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Lot number 15 and Lot number 16 on registered plan of subdivision 62M-670 (as the said two parcels are shown in Schedule A of this By-law) are hereby deemed not to be part of a plan of subdivision for purposes of subsection 50(3) of the Planning Act, R.S.O. 10990, Chapter P.13,.
2. The City Clerk is hereby authorized and directed:
  - a) To cause a certified true copy of this By-law to be filed with the Minister of Municipal Affairs and Housing for the Province of Ontario; and,
  - b) to cause a certified true copy of this By-law to be registered in the Land Registry Office on title to the land described in this By-law;
  - c) as required by the Planning Act, to give notice of the passing of this By-law within thirty day of its enactment, to the last known address of each person appearing on the last revised assessment roll to be the owner of the land to which this By-law applies; and,
  - d) as required by the Planning Act, to arrange for a hearing by Council of any person to whom notice of the passing of this By-law was sent, either in person or by their agent, where such person has given the Clerk within twenty days of the mailing of the said Notice, Notice of their intention to make representations to Council regarding the amendment or the repeal of this By-law.
3. This By-law comes into effect as of the date of its registration.

**PASSED and ENACTED** this 13<sup>th</sup> day of November, 2002 .

  
A / MAYOR - ANDREA HORWATH

  
CLERK





This is Schedule "A" to By-Law No. 02 - 313

Passed the 13 day of November, 2002.

*[Signature]*  
Clerk  
*[Signature]*  
A / Mayor - A. HORWATH

## Schedule "A"

Map Forming Part of  
By-Law No. 02- 313  
to Amend By-Law No. 87-57

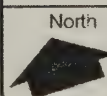


Planning and Development Department

## Legend



**Subject Property**  
De-register Lot 15, and Lot 16 on  
Registered Plan of Subdivision 62M-670



Scale  
**NOT TO SCALE**

Date  
**November 1, 2002**

Reference File No.  
**DA-02-199**

Drawn By  
**LC**





City of Hamilton

**BY-LAW No. 02-314**

Respecting:

**REMOVAL OF PART LOT CONTROL**

**WITHIN A PORTION OF  
"SOUTHBROOK ON THE GREEN - Phase 2" - Block 65, PLAN 62M-961**

**WHEREAS** the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** the Planning Act, (sec.50 (7) states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.



- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

**AND WHEREAS** the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

**AND WHEREAS** the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the Township of Glanbrook;

**AND WHEREAS** the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

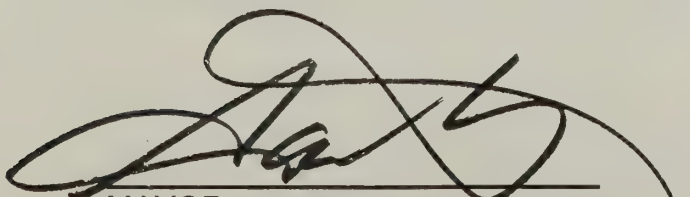
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of permitting the sale of fifteen (15) street townhouse units and to allow for maintenance easements, shall not apply to the following designated land:

Block 65, Registered Plan Number 62M-961, in the City of Hamilton (Glanbrook).

2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.
3. This By-law shall cease, expire and be of no further effect on November 27<sup>th</sup>, 2004.

**PASSED and ENACTED** this 13<sup>th</sup> day of November, A.D. 2002.

  
A/ MAYOR - ANDREA HORWATH

  
CLERK





**Bill No. 315**

**CITY OF HAMILTON  
BY-LAW NO. 02-315  
To Amend By-law No. 01-215  
Being a By-law to Regulate Traffic**

**WHEREAS** Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

**AND WHEREAS** Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

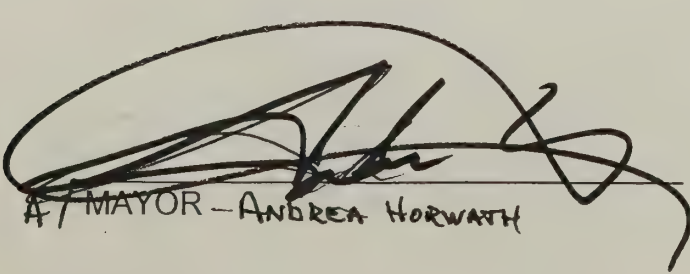
**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** it is necessary to amend By-law No. 01-215;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:  
  
"Herkimer      290m west of Locke      150m east of Locke      40"      /
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED and ENACTED** this 13<sup>th</sup> day of November, 2002

  
# / MAYOR - ANDREA HORWATH

  
CLERK



Bill No. 316

CITY OF HAMILTON  
BY-LAW NO. 02-316  
To Amend By-law No. 01-215  
Being a By-law to Regulate Traffic

**WHEREAS** Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

**AND WHEREAS** Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** it is necessary to amend By-law No. 01-215;

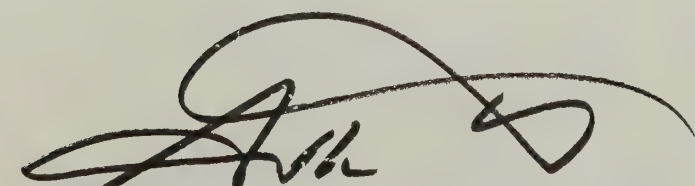
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

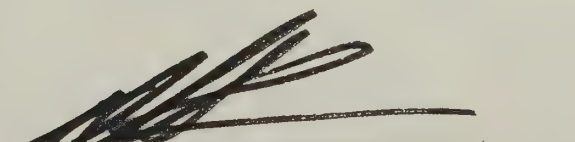
1. That Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" the following items, namely:-

|                               |            |                      |
|-------------------------------|------------|----------------------|
| " Eleventh Road<br>(west leg) | Northbound | Green Mountain Road" |
|-------------------------------|------------|----------------------|

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED and ENACTED** this 13<sup>th</sup> day of November, 2002

  
MAYOR - ANDREA HORWATH

  
CITY CLERK





Authority:

Item 1, Hearings Sub-Committee

Report: 02-031 (PD02197)

CM: October 9, 2002

**Bill No. 318**

**CITY OF HAMILTON**

BY-LAW NO. 02-318

To Adopt:

Official Plan Amendment No. 88 to the former Town of Ancaster Official Plan;

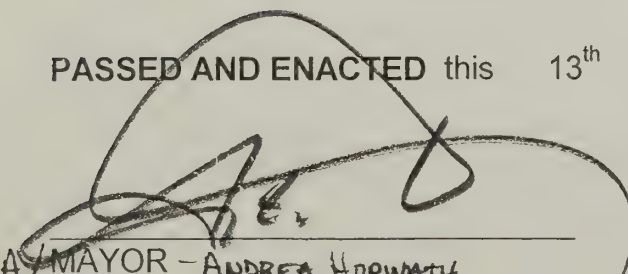
Respecting:

**Part of Lots 51, 52 and 53, Concession 3 (Ancaster)  
(Meadowlands of Ancaster - Phase 7)**

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Amendment No. 88 to the Official Plan of the former Town of Ancaster Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

**PASSED AND ENACTED** this 13<sup>th</sup> day of November 2002

  
MAYOR - ANDREA HORWATH

  
CLERK



## **Amendment No. 88**

to the

### **Official Plan of the Former Town of Ancaster**

The following text, attached hereto, constitute Official Plan Amendment No. 88.

#### **Purpose:**

The purpose of the Amendment is to modify the Meadowlands Secondary Plan – Neighbourhood V with the following:

1. Add block townhouses and stacked townhouses (multi-plex units) as permitted uses within the Medium Density I residential designation; and,
2. Add low-rise apartments and stacked townhouses (multi-plex units) as permitted uses within the Medium Density II residential designation.

#### **Location:**

The lands affected by this Amendment are Part of Lots 50 and 51, Concession 3.

#### **Basis:**

The intent of this Amendment is to provide for a greater range of housing within the Medium Density Residential designations. The basis for permitting the proposal is as follows:

- The proposal complies with the Official Plan, which promotes a range of housing types within developments; and,
- The proposal is compatible with the abutting proposed developments.

#### **Actual Changes:**

- a) That Section 6.7.6, Residential Policies, be amended by deleting and replacing the table within policy 6.7.6 (d) with the following:





## DESCRIPTION OF RESIDENTIAL DESIGNATIONS

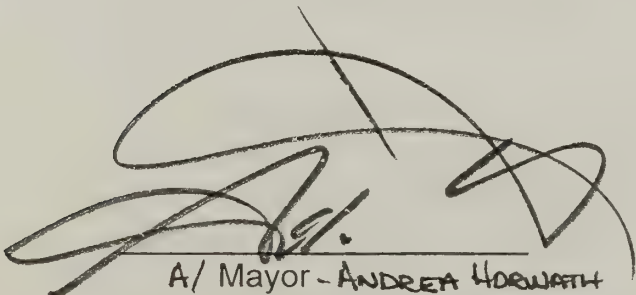
| LAND USE DESIGNATION | PERMITTED HOUSING FORMS                                                                                                                                                                                                                                      | MAX. DENSITY (UNITS / ha) |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| LOW DENSITY          | Single detached dwellings with a minimum frontage of 12.2 metres                                                                                                                                                                                             | 20                        |
| MEDIUM DENSITY 1     | Single detached dwellings with a minimum frontage of 9.1 metres, semi-detached dwellings, row houses, block townhouses, stacked townhouses (multi-plex units) and innovative attached housing compatible with other housing forms permitted in this category | 29                        |
| MEDIUM DENSITY 2     | Row houses, block townhouses, low rise apartments, stacked townhouses (multi-plex units) and innovative attached housing compatible with other housing forms permitted in this category                                                                      | 50                        |
| HIGH DENSITY         | Block townhouses, stacked townhouses, low-rise apartments and innovative attached housing compatible with other housing forms permitted in this category.                                                                                                    | 70                        |

### Implementation:

An implementing Zoning By-Law Amendment and the provisions of Section 7: Implementation of the former Town of Ancaster Official Plan will give effect to this Amendment.

This is Schedule 1 to By-law No. 02-318 passed on the 13<sup>th</sup> day of November, 2002.

The  
City of Hamilton



A/ Mayor - ANDREA HORWATH



City Clerk



**Authority:** Item 1, Hearings Sub-Committee  
Report 02-031 (PD02197)  
CM: October 9, 2002

**Bill No. 319**

## **CITY OF HAMILTON**

### **BY-LAW NO. 02-319**

**To Amend Zoning By-law No. 87-57 (Ancaster), as amended  
Respecting Part of Lots 51, 52 and 53 Concession 3 (Ancaster)  
(Meadowlands of Ancaster – Phase 7)  
Owned by 752401 Ontario Inc., Alec Kelly**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

**AND WHEREAS** the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 87-57 (Ancaster) was enacted on the 22<sup>nd</sup> day of June 1987, and approved by the Ontario Municipal Board on the 23<sup>rd</sup> day of January, 1989;

**AND WHEREAS** the Council of the City of Hamilton, in adopting Section 1 of Report 02-031 of the Hearing Sub-Committee at its meeting held on the 2<sup>nd</sup> day of October, 2002, recommended that Zoning By-law No. 87-57 (Ancaster), be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster), approved by the Minister under the Planning Act on July 6, 1984, as amended by Official Plan Amendment No. 88 proposed by the Corporation of the City of Hamilton as By-law No. 02- , but not yet approved in accordance with the provisions of the Planning Act.





**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule “B” of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended;
  - (a) by changing from Agricultural “A” Zone to Residential “R4-481” Exception Zone, for lands comprised in **Block “1”**;
  - (b) by changing from Agriculture “A” Zone to Residential “R4-482-H” Exception Zone, for lands comprised in **Block “2”**;
  - (c) by changing from Agricultural “A” Zone to Residential Multiple “RM4-483” Exception Zone, for lands comprised in **Block “3”**;
  - (d) by changing from Agricultural “A” Zone to Residential Multiple “RM4-484” Exception Zone, for lands comprised in **Block “4”**;
  - (e) by changing from Agricultural “A” Zone to Residential Multiple “RM2-485” Exception Zone, for lands comprised in **Block “5”**;
  - (f) by changing from Agricultural “A” Zone to Residential Multiple “RM6-486” Exception Zone, for lands comprised in **Block “6”**;
  - (g) by changing from Agricultural “A” Zone to Public Open Space “O2-487” Exception Zone, for lands comprised in **Block “7”**;
  - (h) by changing from Agricultural “A” Zone to Residential Multiple “RM5-488” Exception Zone, for lands comprised in **Block “8”**; and,
  - (i) by changing from Agricultural “A” Zone to Residential Multiple “RM6-489” Exception Zone, for lands comprised in **Block “9”**;

the extent and boundaries of which more particularly shown on Schedule “A” annexed hereto and forming part of this by-law.

2. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsections:

**R4-481** That the “R4” (Residential) Zone regulations, as contained in Section 12.2 of Zoning By-law No. 87-57 (Ancaster) applicable to the subject lands be amended to the extent of the following special requirement:



- (5) Minimum Front Yard - minimum front yard set back from the edge of asphalt of a private road shall be 4.5m to building face and 6.0m to a garage;
- (6) That the amending By-law apply Holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the lands by introducing the Holding symbol 'H' as a suffix to the proposed zoning district. The Holding provision will prohibit the development of the subject lands. Upon satisfying the condition that the owner has registered a Condominium Agreement for a condominium road and submitting the required fee, City Council may then proceed with the removal of the 'H' symbol, by enactment of an amending By-law and, thereby, give effect to the R4-482 Zone; and,
- (7) All other applicable regulations of the Residential "R4" Zone shall apply.

**RM4-483** That notwithstanding the provisions of the Residential Multiple "RM4" Zone of Sections 17.1 and 17.2, of Zoning By-law 87-57, the following special provisions shall apply to **Block 3**:

Permitted Uses

Additional Permitted Use – stacked townhouses (multiplex dwellings);

Development Regulations

- (1) Maximum Lot Coverage – forty (40%);
- (2) Building Separation – delete Regulation 17.2 (p); and,
- (3) All other applicable regulations of the Residential Multiple "RM4" Zone shall apply.

**RM4-484** That notwithstanding the provisions of the Residential Multiple "RM4" Zone of Sections 17.1 and 17.2 of Zoning By-law 87-57, the following special provisions shall apply to **Block 4**:



Permitted Uses

Additional Permitted Use – street townhouses;

Development Regulations

- (1) Minimum Front Yard – minimum setback of 4.5m from a building face and 6.0m to a garage;
- (2) No individual driveway access from a unit to Stonehenge Drive shall be permitted; and
- (3) All other applicable regulations of the Residential Multiple Zone “RM4” zone shall apply.

**RM2-485** That notwithstanding the provision of the Residential Multiple “RM2” Zone of Section 15.2, of Zoning By-law 87-57, the following special provisions shall apply to **Block 5**:

Development Regulations

- (1) Minimum Lot Area – 1,089 sq.m. of the total parcel area and 231 sq.m. per unit;
- (2) Minimum Lot Frontage – 33m for a parcel and 7m per dwelling unit;
- (3) Minimum Lot Frontage – 12m on an end unit flanking a street;
- (4) Minimum Lot Frontage – 9.5m for an end unit that does not abut a flanking street;
- (5) Minimum Side Yard – 5.0m side yard for an end unit flanking a street;
- (6) Frontage on a private Street shall be considered the same as frontage on a public street;
- (7) Maximum Lot Coverage – 45%;
- (8) Minimum Front Yard - 4.5m from a building face and 6.0m to a garage; and,





- (9) All other applicable regulations of the Residential Multiple “RM2” Zone shall apply.

**RM6-486** That notwithstanding the provisions of the Residential Multiple “RM6” Zone of Section 19.2, of Zoning By-law 87-57, the following special provisions shall apply to **Block 6**:

Development Regulations

- (1) Maximum Lot Area – delete Regulation 19.2 (b);
- (2) Maximum Density – fifty (50) units per hectare;
- (3) Minimum Lot Frontage - for the purposes of this By-law, frontage on Cloverleaf Drive shall be deemed as the minimum lot frontage;
- (4) Minimum Landscaping – forty percent (40%) required of the lot area including the children’s outside play area;
- (4) Maximum Lot Coverage – thirty-five percent (35%); and,
- (5) All other applicable regulations of the Residential Multiple “RM6” Zone shall apply.

**O2-487** That notwithstanding the provisions of the Public Open Space “O2” Zone of Section 33.1, of Zoning By-law 87-57, the following special provision shall apply to **Block 7**:

Permitted Uses

- (1) Permitted Use – stormwater management facilities

Development Regulations

- (1) All applicable regulations of the Public Open Space “O2” Zone shall apply.



**RM5-488** That notwithstanding the provisions of the Residential Multiple “RM5” Zone of Section 18.2, Zoning By-law 87-57, the following special provisions shall apply to **Block 8**:

Development Regulations

- (1) Minimum Lot Area – 0.33 hectares for multiplex dwellings containing seven (7) or more units;
- (2) Minimum Rear Yard – 7.5m;
- (3) Children’s Play Area - 2.5 sq.m. per bedroom excluding master bedroom; and,
- (4) All other applicable regulations of the Residential Multiple “RM5” Zone shall apply.

**RM6-489** That notwithstanding the provisions of the Residential Multiple “RM6” Zone of Sections 19.1 and 19.2, of Zoning By-law 87-57, the following special provisions shall apply to **Block 9**:

Permitted Uses

Additional Permitted Uses- block townhouses, stacked townhouses and multi-plex dwellings and uses in accordance with the development regulations of the “RM4-483” Zone.

Development Regulations

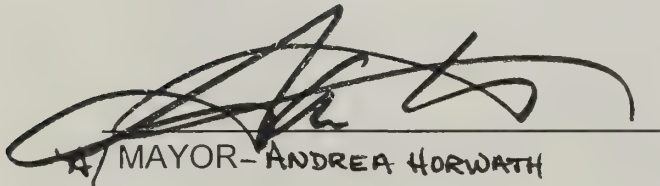
- (1) Maximum Lot Area – delete Regulation 19.2 (b);
- (2) Maximum Density – seventy (70) units per hectare;
- (3) Maximum Lot Coverage – fifty percent (50%);
- (4) Maximum Height – 13.7 metres in a maximum of 3 storeys;
- (5) Minimum Landscaping – 25% of the lot area (including the children’s outside play area);



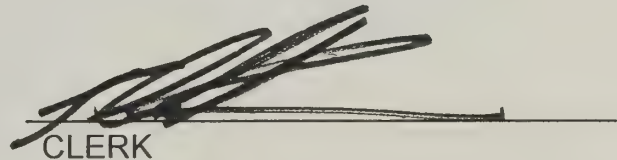


- (6) All other applicable regulations of the Residential Multiple "RM6" Zone shall apply.
3. That the amending By-law be added to Map B of Ancaster Zoning By-law No. 87-57.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 13th day of November, 2002 .



MAYOR - ANDREA HORWATH



CLERK





This is Schedule "A" to By-Law No. 02 - 319

Passed the 13 day of November, 2002.

*[Signature]*  
Clerk  
*[Signature]*  
A / Mayor - A. HORWATH

# Schedule "A"

Map Forming Part of  
By-Law No. 02- 319

to Amend By-Law No. 87-57



Hamilton

Planning and Development Department

Subject Property  
Meadowlands of Ancaster Part of Lots 51, 52 and 53, Concession 3 Change in Zoning from Agricultural "A" zone to:

- |                                                  |                                                |
|--------------------------------------------------|------------------------------------------------|
| BLOCK 1- Change in Zoning from "A" to "R4-481"   | BLOCK 6-Change in Zoning from "A" to "RM6-486" |
| BLOCK 2- Change in Zoning from "A" to "R4-H-482" | BLOCK 7-Change in Zoning from "A" to "D2-487"  |
| BLOCK 3- Change in Zoning From "A" to "RM4-483"  | BLOCK 8-Change in Zoning from "A" to "RM5-488" |
| BLOCK 4- Change in Zoning from "A" to "RM4-484"  | BLOCK 9-Change in Zoning from "A" to "RM6-489" |
| BLOCK 5- Change in Zoning from "A" to "RM2-485"  | BLOCK 10-Lands to remain Agricultural "A" Zone |

|           |                                 |                                        |
|-----------|---------------------------------|----------------------------------------|
| North<br> | Scale<br><b>NOT TO SCALE</b>    | Reference File No.<br><b>ZAC-02-38</b> |
|           | Date<br><b>November 4, 2002</b> | Drawn By<br><b>NM</b>                  |



**CITY OF HAMILTON**

**BY-LAW NO. 02- 320**

**To Amend By-law No. 01-218, as amended,  
Being a By-law To Regulate On-Street Parking**

**WHEREAS** Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

**AND WHEREAS** Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

**AND WHEREAS** it is necessary to amend By-law No. 01-218, as amended;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Parking Meters) of By-law No. 01-218, as amended, is hereby further amended by adding to Subsection 2(A) of Section "E" thereof (2 hours at 50¢ per hour) the following items, namely:

|       |       |                   |
|-------|-------|-------------------|
| "Main | North | West to Victoria  |
| Main  | North | John to Walnut    |
| Main  | North | Dundurn to Queen" |

and by adding to Subsection 3(a) of Section "E" thereof (1 hour at 50¢ per hour) the following items, namely:

|       |       |                         |
|-------|-------|-------------------------|
| "Main | North | Summers' Lane to MacNab |
| Main  | North | Ontario to Wentworth    |
| Main  | North | East to Emerald         |





|      |       |                                         |
|------|-------|-----------------------------------------|
| Main | North | from 40.5m west of King to 14m westerly |
| Main | North | Rosslyn to Ottawa                       |
| Main | North | Houghton to Weir                        |
| Main | South | Wellington to Emerald                   |
| Main | South | Erie to Wentworth"                      |

and by adding to Subsection 4(a) of Section "E" thereof (30 minutes at 50¢ per hour) the following item, namely:

"Main                      North              Walnut to Spring"

and by deleting from Subsection 2(a) of Section "G" thereof (2 hour at 50¢ per hour) the following items, namely:

"Main                      North              West to Victoria  
Main                      North              John to Walnut  
Main                      North              Dundurn to Queen"

and by deleting from Subsection 3(a) of Section "E" thereof (1 hour at 50¢ per hour) the following items, namely:

"Main                      North              Ontario to Wentworth  
Main                      North              East to Emerald  
Main                      North              commencing at a point 133 feet west of King  
and extending to a point 46 feet westerly  
therefrom  
Main                      North              Rosslyn to Ottawa  
Main                      North              Houghton to Weir  
Main                      South              Kenilworth to Crosthwaite  
Main                      South              Wellington to Victoria  
Main                      South              Wellington to Emerald



Main                      South                      Erie to Wentworth

Main East                      North                      London to Houghton"

and by deleting from Subsection 4(a) of Section "G" thereof (30 minutes at 25¢ per half hour) the following item, namely:

"Main                      North                      Walnut to Spring"

2. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following items, namely:

"London              Both              Main to Dunsmure              1 hr      8 am – 8 am Mon – Sun  
(24 hrs)

Sheaffe              South              Park to 115 feet  
southerly              1 hr      8 am – 8 am Mon – Sun"  
(24 hrs)

and by adding to Section "F" thereof the following item, namely:

"Shadyglen      North              From Hillcroft Drive to                      Maximum three hour"  
Drive                      Hampshire Place                      parking only

3. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Main              North              Queen to Summers' Lane                      Anytime

Main              North              MacNab to John                      Anytime

Main              North              from 15.2m east of East to 19.2m easterly              Anytime

Main              North              from 22.9m west of Emerald to 11.3m  
westerly                      Anytime

Main              North              Emerald to Tisdale                      Anytime

Main              North              Spring to 49.4m westerly                      Anytime

Main              North              Haddon to Filman                      Anytime

Main              North              Wellington to West Ave.                      Anytime





|      |       |                                               |                         |
|------|-------|-----------------------------------------------|-------------------------|
| Main | North | Victoria to East Avenue                       | Anytime                 |
| Main | North | Tisdale to 45.7m west of Wentworth            | Anytime                 |
| Main | North | From 20.1m west of Prospect to 27.4m westerly | Anytime                 |
| Main | South | King to Strathearne                           | Anytime                 |
| Main | South | James to Filman                               | Anytime                 |
| Main | South | Hughson to Fairleigh                          | Anytime                 |
| Main | South | Sherman to Ottawa                             | Anytime                 |
| Main | North | Cline to Dundurn                              | Anytime                 |
| Main | North | King to Kensington                            | Anytime                 |
| Main | North | Kensington to Barons                          | 7:00 a.m. to 10:00 p.m. |
| Main | North | Cope to Strathearne                           | 7:00 a.m. to 10:00 p.m. |
| Main | North | Barons to Cope                                | 7:00 a.m. to 6:00 p.m.  |
| Main | North | 17.4m east of Catharine to 26.9m easterly     | Anytime                 |
| Main | North | 24.4m west of Connaught to 9.1m westerly      | Anytime                 |
| Main | South | 48.8m west of Ferguson to 12.2m westerly      | Anytime                 |
| Main | North | 36m west of Wentworth to 9.8 westerly         | Anytime                 |
| Main | South | 22.9m east of Kenilworth to 4.9m easterly     | Anytime                 |
| Main | North | 67.1m west of Newton to 12.8m westerly        | Anytime                 |
| Main | North | 22.9m west of Locke to 9.1m westerly          | Anytime"                |

and by deleting from Section "E" thereof the following item, namely:

"East 44<sup>th</sup> East Kerr to 105 feet northerly Anytime"

and by deleting from Section "G" thereof the following items, namely:



"Main North commencing 50 feet east of East Avenue to a point 63 feet easterly

Main North commencing 75 feet west of Emerald" to a point 37 feet westerly

and by deleting from Section "G,(I)" thereof the following items, namely:

|       |       |                                           |                         |
|-------|-------|-------------------------------------------|-------------------------|
| "Main | North | Queen to John                             | Anytime                 |
| Main  | North | 50 feet east of East to 40 feet easterly  | Anytime                 |
| Main  | North | Emerald to Tisdale                        | Anytime                 |
| Main  | North | 162 ft. west of Spring to Spring          | Anytime                 |
| Main  | North | Haddon to South City Limit                | Anytime                 |
| Main  | North | Wellington to West Ave.                   | Anytime                 |
| Main  | North | Victoria to East Avenue                   | Anytime                 |
| Main  | North | Tisdale to 150' west of Wentworth         | Anytime                 |
| Main  | North | From 66' west of Prospect to 90' westerly | Anytime                 |
| Main  | South | King to Strathearne                       | Anytime                 |
| Main  | South | Dundurn to West City Limit                | Anytime                 |
| Main  | South | Dundurn to James                          | Anytime                 |
| Main  | South | Hughson to Fairleigh                      | Anytime                 |
| Main  | South | Sherman to Ottawa                         | Anytime                 |
| Main  | North | Cline to Dundurn                          | Anytime                 |
| Main  | North | King to Kensington                        | Anytime                 |
| Main  | North | Kensington to Barons                      | 7:00 a.m. to 10:00 p.m. |
| Main  | North | Cope to Strathearne                       | 7:00 a.m. to 10:00 p.m. |
| Main  | North | Barons to Cope                            | 7:00 a.m. to 6:00 p.m." |



and by deleting from Section "G,(II)" thereof the following items, namely:

|           |       |                                              |          |
|-----------|-------|----------------------------------------------|----------|
| "Main     | North | 57 ft. east of Catharine to 97 ft. easterly  | Anytime  |
| Main      | North | 80 ft. west of Connaught to 30 ft. westerly  | Anytime  |
| Main      | South | 160 ft. west of Ferguson to 40 ft. westerly  | Anytime  |
| Main East | North | 118 ft. west of Wentworth to 32 ft. westerly | Anytime  |
| Main East | South | 75 ft. east of Kenilworth to 16 ft. easterly | Anytime  |
| Main West | North | 220 ft. west of Newton to 42 ft. westerly    | Anytime  |
| Main West | North | 75 ft. west of Locke to 30 ft. westerly      | Anytime" |

4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

|           |      |                                                  |          |
|-----------|------|--------------------------------------------------|----------|
| "Allan    | East | from 61m east of Harmony to 5.3m easterly        | Anytime  |
| Avondale  | East | from 12m south of Beechwood to 6.4m southerly    | Anytime  |
| Avondale  | West | from 15.2m south of Beechwood to 7m southerly    | Anytime  |
| Fullerton | East | from 64.6m south of Princess to 7.1m southerly   | Anytime  |
| Hughson   | West | from 31.8m south of Ferrie to 6.1m southerly     | Anytime  |
| John      | West | from 29.9m north of Burlington to 7.2m northerly | Anytime" |

and by deleting from Section "E" thereof the following items, namely:

|          |       |                              |          |
|----------|-------|------------------------------|----------|
| "Sheaffe | North | Bay to Park                  | Anytime  |
| Sheaffe  | South | Bay to 115 feet west of Park | Anytime" |





5. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

|                 |       |                                              |                                              |
|-----------------|-------|----------------------------------------------|----------------------------------------------|
| "Dover          | South | Greenford to 14.9m westerly                  | Anytime                                      |
| Dover           | South | from 51.9m west of Greenford to 30m westerly | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday |
| Glow            | South | Woodward to 86.6m westerly                   | Anytime                                      |
| Glow            | North | Woodward to 75.6m westerly                   | Anytime                                      |
| Glow            | North | Dunn to 46.8m easterly                       | Anytime                                      |
| Ronaldshay West |       | Hester to 24.6m northerly                    | Anytime"                                     |

and by adding to Section "F" thereof the following item, namely:

"Highway 8 North Fruitland Rd. to 319m westerly Anytime"

6. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

|           |      |                                            |                                               |
|-----------|------|--------------------------------------------|-----------------------------------------------|
| "Parkdale | West | from 64m north of Central to 10m northerly | 7:00 a.m. to 6:00 p.m."<br>Monday to Saturday |
|-----------|------|--------------------------------------------|-----------------------------------------------|

7. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following item, namely:

|                 |       |                                                   |          |
|-----------------|-------|---------------------------------------------------|----------|
| "Governor's Rd. | South | Along the full frontage of St. Bernadettes school | Anytime" |
|-----------------|-------|---------------------------------------------------|----------|

and by adding to Section "C" thereof the following item, namely:

|                                  |       |                                                           |                                               |
|----------------------------------|-------|-----------------------------------------------------------|-----------------------------------------------|
| "5 <sup>th</sup> Concession West | North | from 121.6m west of Millgrove Side Road to 27.4m westerly | 7:00 a.m. to 6:00 p.m."<br>Monday to Saturday |
|----------------------------------|-------|-----------------------------------------------------------|-----------------------------------------------|

and by adding to Section "E" thereof the following items, namely:



|                      |       |                                                |                                               |
|----------------------|-------|------------------------------------------------|-----------------------------------------------|
| "Dover               | South | from 81.9m west of Greenford to 48.4m westerly | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| Parkdale             | West  | from 47.9m north of Central to 16.1m northerly | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| Parkdale             | West  | from 74m north of Central to 33.3m northerly   | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| Ottawa               | West  | from 41.2m north of Main to 6.1m northerly     | 7:00 a.m. to 4:00 p.m.<br>Monday to Friday    |
| Ronaldshay           | West  | from 24.6m north of Hester to 30.6m northerly  | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| Wentworth            | East  | from 4.3m south of Mars to 15.2m southerly     | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| West 5 <sup>th</sup> | East  | from 51.8m south of Marlowe to 66.1m southerly | 7:00 a.m. to 6:00 p.m."<br>Monday to Saturday |

and by deleting from Section "E" thereof the following items, namely:

|                  |         |                          |                                               |
|------------------|---------|--------------------------|-----------------------------------------------|
| "Ronaldshay West | 50 feet | 79 feet north of Hester  | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| Ronaldshay West  | 60 feet | 199 feet north of Hester | 7:00 a.m. to 6:00 p.m."<br>Monday to Saturday |

and by deleting from Section "G" thereof the following items, namely:

|                                       |                 |                                                                                          |                                              |
|---------------------------------------|-----------------|------------------------------------------------------------------------------------------|----------------------------------------------|
| "Parkdale                             | West            | commencing 172 feet north of Central and extending 130 feet northerly                    | 7:00 a.m. to 4:00 p.m.<br>Monday to Friday   |
| 5 <sup>th</sup><br>Concession<br>West | North           | commencing 399 feet west of Millgrove Side Road and Extending 90 feet westerly therefrom | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday |
| Ottawa                                | West<br>20 feet | commencing 135 feet north of Main                                                        | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday |
| Reg.Rd.<br>#399<br>(Governor's Rd.)   | South           | Along the full frontage of St. Bernadettes School                                        | Anytime                                      |





|                      |       |                                                |                                               |
|----------------------|-------|------------------------------------------------|-----------------------------------------------|
| "Dover               | South | from 81.9m west of Greenford to 48.4m westerly | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| Parkdale             | West  | from 47.9m north of Central to 16.1m northerly | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| Parkdale             | West  | from 74m north of Central to 33.3m northerly   | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| Ottawa               | West  | from 41.2m north of Main to 6.1m northerly     | 7:00 a.m. to 4:00 p.m.<br>Monday to Friday    |
| Ronaldshay           | West  | from 24.6m north of Hester to 30.6m northerly  | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| Wentworth            | East  | from 4.3m south of Mars to 15.2m southerly     | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| West 5 <sup>th</sup> | East  | from 51.8m south of Marlowe to 66.1m southerly | 7:00 a.m. to 6:00 p.m."<br>Monday to Saturday |

and by deleting from Section "E" thereof the following items, namely:

|                  |         |                          |                                               |
|------------------|---------|--------------------------|-----------------------------------------------|
| "Ronaldshay West | 50 feet | 79 feet north of Hester  | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| Ronaldshay West  | 60 feet | 199 feet north of Hester | 7:00 a.m. to 6:00 p.m."<br>Monday to Saturday |

and by deleting from Section "G" thereof the following items, namely:

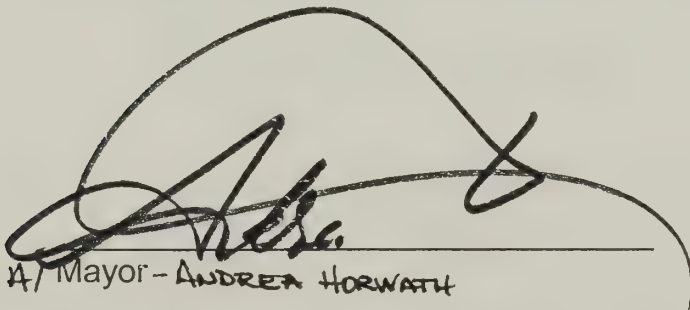
|                                       |                 |                                                                                          |                                              |
|---------------------------------------|-----------------|------------------------------------------------------------------------------------------|----------------------------------------------|
| "Parkdale                             | West            | commencing 172 feet north of Central and extending 130 feet northerly                    | 7:00 a.m. to 4:00 p.m.<br>Monday to Friday   |
| 5 <sup>th</sup><br>Concession<br>West | North           | commencing 399 feet west of Millgrove Side Road and Extending 90 feet westerly therefrom | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday |
| Ottawa                                | West<br>20 feet | commencing 135 feet north of Main                                                        | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday |
| Reg.Rd.<br>#399<br>(Governor's Rd.)   | South           | Along the full frontage of St. Bernadettes School                                        | Anytime                                      |



|                                        |       |                                                                     |                                               |
|----------------------------------------|-------|---------------------------------------------------------------------|-----------------------------------------------|
| Reg.Rd.<br>#399<br>(Governor's<br>Rd.) | South | Along the full frontage of St.<br>Bernadettes School                | Anytime                                       |
| Wentworth                              | East  | commencing 14 feet south of Mars<br>and extending 50 feet southerly | 7:00 a.m. to 6:00 p.m.<br>Monday to Saturday  |
| West 5 <sup>th</sup>                   | East  | 170 feet south of Marlowe to a<br>Point 217 feet southerly          | 7:00 a.m. to 6:00 p.m."<br>Monday to Saturday |

8. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
9. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED and ENACTED** this 13<sup>th</sup> day of November, 2002.

  
A/ Mayor - ANDREA HORWATH

  
City Clerk



THE CITY OF HAMILTON

BY-LAW NO. 02- 321

To Confirm the Proceedings of City Council at its meeting held on November 13, 2002

THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:

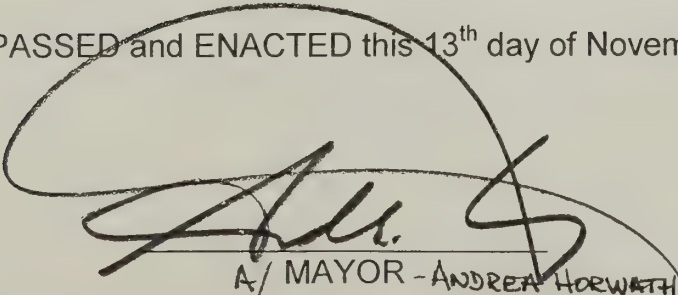
1. The Action of City Council at its meeting held on the 13<sup>th</sup> day of November, 2002 in respect of each recommendation contained in:

Report 02-037 of the Committee of the Whole,  
Report 02-038 of the Committee of the Whole,  
Report 02-035 of the Hearings Sub-Committee,  
Report 02-036 of the Hearings Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 13<sup>th</sup> day of November, 2002



A/ MAYOR - ANDREA HORWATH



CITY CLERK





THE CITY OF HAMILTON

BY-LAW NO. 02-346

To Confirm the Proceedings of City Council at its special meeting held on December 3, 2002

THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:

1. The Action of City Council at its meeting held on the 3<sup>rd</sup> day of December, 2002 in respect of each recommendation contained in the Committee of the Whole,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 3<sup>rd</sup> day of December, 2002

  
MAYOR  
CITY CLERK



**CITY OF HAMILTON**

**BY-LAW NO. 02-330**

**To Amend Zoning By-law No. 464 (Glanbrook)  
Respecting Lands Located  
in the former Township of Glanbrook**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

**AND WHEREAS** the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 464 (Glanbrook) was enacted on the 16<sup>th</sup> day of March 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

**AND WHEREAS** it is intended to add a new zoning schedule and amend Section 6 of By-law No. 464 (Glanbrook), passed on the 16th day of March 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1993.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

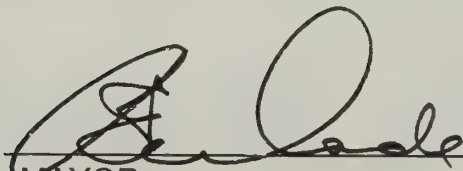
1. That the lands shown on a plan hereto annexed as Schedule "A1" be removed from Schedule "C", which Schedule "C" is appended to and forms part of By-law No. 464 (Glanbrook), and incorporated into a new schedule titled "Schedule 'J' – Rymal Road Planning Area";





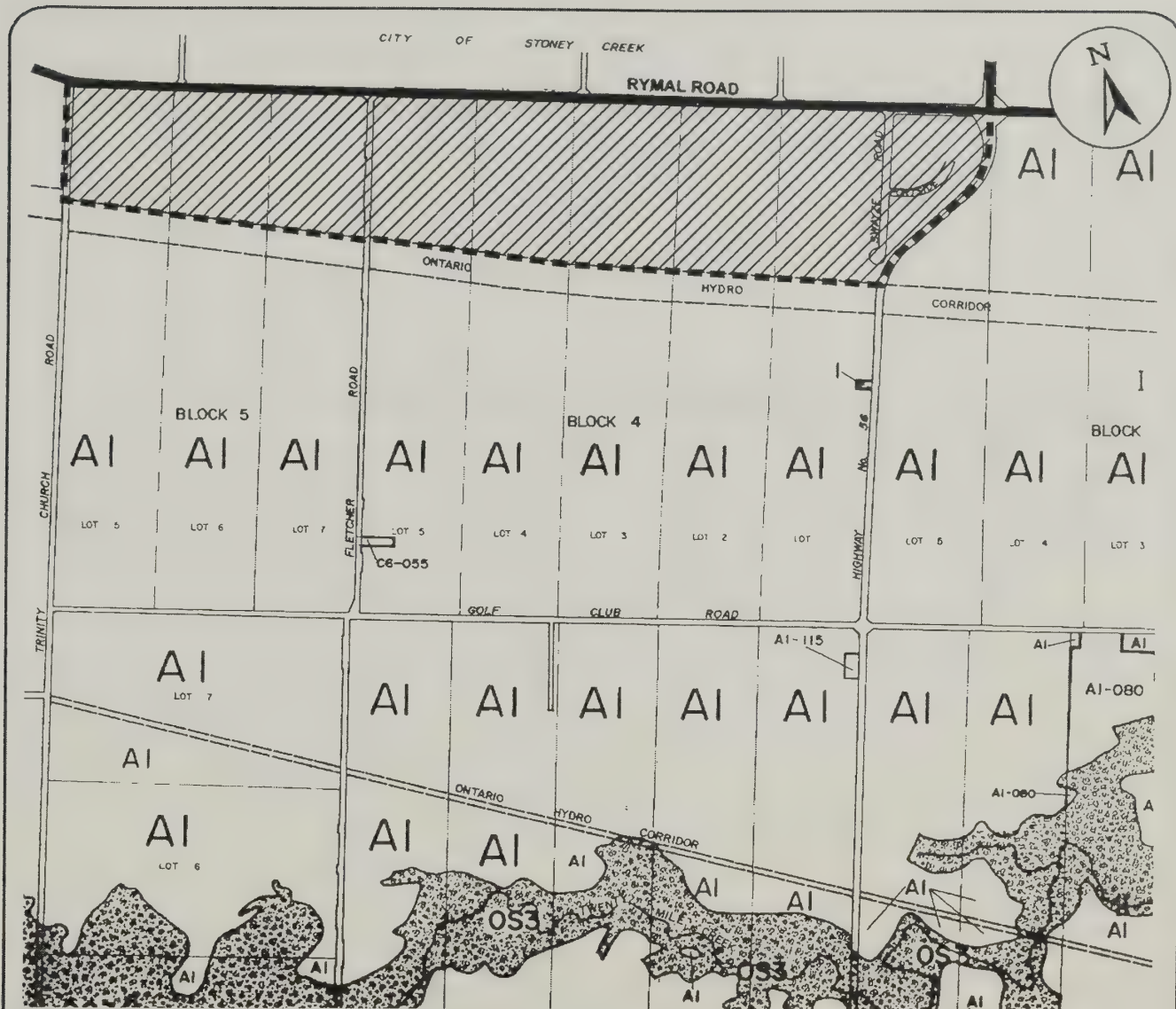
2. That a new schedule as shown on a plan hereto annexed as Schedule "A2" titled "Schedule 'J' – Rymal Road Planning Area" be appended to and form part of By-law 464; and,
  3. That Section 6, "Zoning Schedules", be amended as follows:  
  
by deleting the first sentence and replacing it with the following:  
  
"Schedules "A", "B", "C", "D", "E", "F", "G", "H", "I" and "J", attached hereto, together with notations and references shown thereon, are hereby declared to form part of this By-law.";
- and by adding "Schedule J" to the "Schedule" list and by adding "Rymal Road Planning Area" to the "Area Covered" list.
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 27<sup>th</sup> day of November, 2002.

  
MAYOR

  
CLERK





This is Schedule "A1" to By-Law No. 02- 330

Passed the 27th day of November, 2002.

*[Signature]*  
Clerk  
*[Signature]*  
Mayor

## Schedule "A1"

Map Forming Part of  
By-Law No. 02- 330

to Amend By-Law No. 464



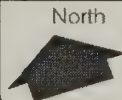
Hamilton

Planning and Development Department

## Legend



Lands to be removed from Schedule "C"  
and incorporated into Schedule "J"



North

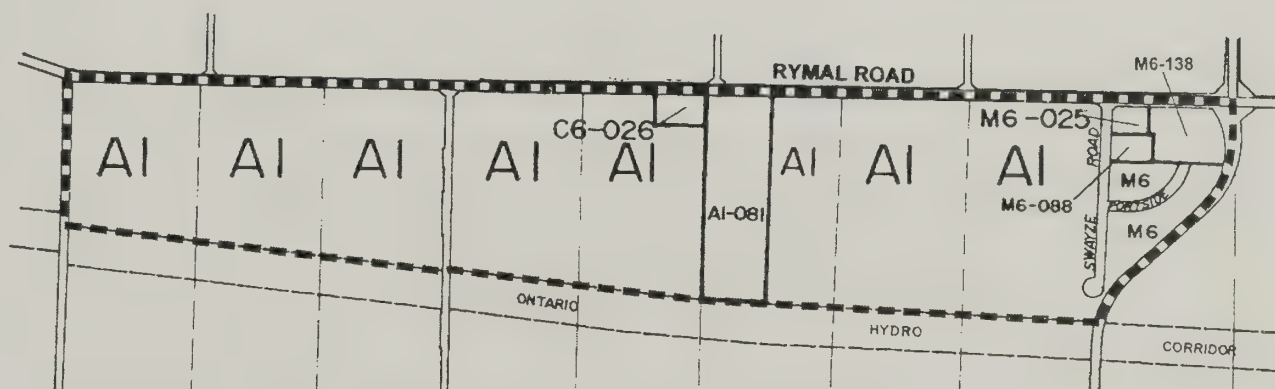
Scale  
NOT TO SCALE

Date  
November 20, 2002

Reference File No.  
Schedule J

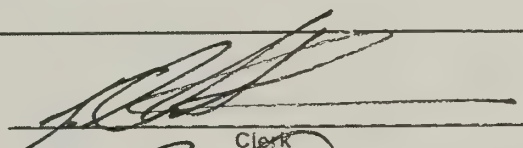
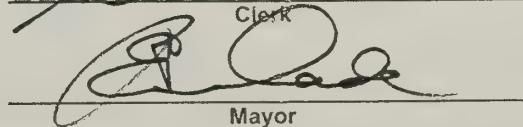
Drawn By  
MC





This is Schedule "A2" to By-Law No. 02- 330

Passed the 27th day of November, 2002.

  
Clerk  
  
Mayor

## Schedule "A2"

Map Forming Part of  
By-Law No. 02- 330  
to Amend By-Law No. 464



Hamilton

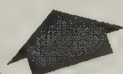
Planning and Development Department

## Legend



Schedule "J" - Rymsal Road Planning Area

North



Scale

NOT TO SCALE

Date

November 20, 2002

Reference File No.

Schedule J-A2

Drawn By

MC





**Authority:** Item 1, Hearings Sub-Committee  
Report 02-035 (PD02205)  
CM: November 13, 2002

**Bill No. 331**

## **CITY OF HAMILTON**

### **BY-LAW NO. 02-331**

**To Amend Zoning By-law No. 464 (Glanbrook)  
Respecting Lands Located on Parts of Lots 4 and 5, Block 4 and  
Parts of Lots 6 and 7, Block 5, Concession 1,  
in the former Township of Glanbrook  
Owned by Multi-Area Developments Inc.**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

**AND WHEREAS** the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 464 (Glanbrook) was enacted on the 16<sup>th</sup> day of March 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

**AND WHEREAS** it is intended to change the zoning of the lands hereinafter referred to, and to amend Section 44 of By-law No. 464 (Glanbrook), passed on the 16th day of March 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1993.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Schedule "J" – Rymal Road Planning Area, appended to and forming part of By-law No. 464 (Glanbrook), be amended as follows:
  - (a) by changing from the General Agricultural "A1" Zone to the Deferred Development "DD" Zone, the lands comprised of Block "1";



**Bill No. 331**

**CITY OF HAMILTON**

**BY-LAW NO. 02-331**

**To Amend Zoning By-law No. 464 (Glanbrook)  
Respecting Lands Located on Parts of Lots 4 and 5, Block 4 and  
Parts of Lots 6 and 7, Block 5, Concession 1,  
in the former Township of Glanbrook  
Owned by Multi-Area Developments Inc.**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

**AND WHEREAS** the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 464 (Glanbrook) was enacted on the 16<sup>th</sup> day of March 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1993;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

**AND WHEREAS** it is intended to change the zoning of the lands hereinafter referred to, and to amend Section 44 of By-law No. 464 (Glanbrook), passed on the 16th day of March 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1993.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Schedule "J" – Rymal Road Planning Area, appended to and forming part of By-law No. 464 (Glanbrook), be amended as follows:
  - (a) by changing from the General Agricultural "A1" Zone to the Deferred Development "DD" Zone, the lands comprised of Block "1";





- (b) by changing from the General Agricultural "A1" Zone to the site-specific Residential Multiple "RM2-173" Zone, the lands comprised of Blocks "2", "14" and "21";
- (c) by changing from the General Agricultural "A1" Zone to the site-specific Residential "R4-173(B)" Zone, the lands comprised of Blocks "3", "5", "11" and "20";
- (d) by changing from the General Agricultural "A1" Zone to the site-specific Residential "R4-173(A)" Zone, the lands comprised of Blocks "4", "10" and "15";
- (e) by changing from the General Agricultural "A1" Zone to the site-specific Public Open Space "OS2-173" Zone, the lands comprised of Blocks "6" and "13";
- (f) by changing from the General Agricultural "A1" Zone to the Public Open Space "OS2" Zone, the lands comprised of Blocks "7" and "18";
- (g) by changing from the General Agricultural "A1" Zone to the site-specific Residential Multiple "RM3-173(A)" Zone, the lands comprised of Block "8";
- (h) by changing from the General Agricultural "A1" Zone to the site-specific Residential "R4-173(C)" Zone, the lands comprised of Block "9";
- (i) by changing from the General Agricultural "A1" Zone to the site-specific Neighbourhood Commercial "C1-173" Zone, the lands comprised of Block "12";
- (j) by changing from the General Agricultural "A1" Zone to the site-specific Residential Multiple - Holding "H-RM3-173(B)" Zone, the lands comprised of Block "16";
- (k) by changing from the General Agricultural "A1" Zone to the site-specific Institutional "I-173" Zone, the lands comprised of Blocks "17" and "19";
- (l) by changing from the General Agricultural "A1" Zone to the site-specific Residential – Holding "H-R4-173(A)" Zone, the lands comprised of Block "22"; and,
- (m) by changing from the General Agricultural "A1" Zone to the site-specific Residential – Holding "H-R4-173(B)" Zone, the lands comprised of Block "23";

the extent and boundaries of which Blocks "1" to "23", inclusive, are shown on plans hereto annexed as Schedules "A1" and "A2".



2. That Section 44, "Exceptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by adding new special exemptions "R4-173(A)", "R4-173(B)", "R4-173(C)", "RM2-173", "RM3-173(A)", "RM3-173(B)", "C1-173", "OS2-173", "I-173", "H-R4-173(A)", "H-R4-173(B)" and "H-RM3-173(B)" as follows:

**H-R4-173(A),  
H-R4-173(B),  
H-RM3-173(B)** "The removal of the Holding Provision "H" by By-law for those lands zoned site-specific Residential – Holding "H-R4-173(A)" and "H-R4-173(B)", and site-specific Residential Multiple – Holding "H-RM2-173(B)", shall be subject to consolidation with adjacent lands to ensure orderly development or, alternatively, shall be subject to the Owner demonstrating to the City its reasonable attempts to acquire the adjacent lands at fair market value;

**R4-173(A),  
R4-173(B),  
R4-173(C),  
RM2-173** Notwithstanding Subsection 7.26 **ENCROACHMENTS INTO YARDS** of **SECTION 7: GENERAL PROVISIONS FOR ALL ZONES**, the following provisions shall apply to those lands zoned site-specific Residential "R4-173(A)", "R4-173(B)", and "R4-173(C)", and site-specific Residential Multiple "RM2-173":

- (a) Unenclosed porches, both covered and uncovered, may project into the required front yard a maximum 2.0 metres, into the required rear yard a maximum 1.5 metres, and into the required exterior side yard a maximum 2.0 metres;
- (b) Stairs used to provide access to unenclosed porches from the ground may project into the required front yard and required exterior side yard a maximum 0.6 metres, measured from the limit of the porch closest to the lot line;
- (c) Decks may project into the required rear yard, a maximum 4.5 metres, and into the required exterior side yard a maximum 2.0 metres;
- (d) Window projections, with or without foundations, and architectural elements without a foundation such as, but not limited to, fireplaces, chimneys, pilasters, and corbels, may project into any required yard, excluding a side yard that is less than 1.2 metres, a maximum of 0.6 metres;
- (e) Balconies, canopies, awnings and fruit cellars may project into any front yard, rear yard or exterior side yard, a distance of not more than 2.0 metres. Where the exterior side yard is 1.0 metres, balconies, canopies, awnings, and fruit cellars may project into the exterior side yard a distance of not more than 1.0 metres; and,



- (f) The projections permitted by above clauses (d) and (e), and by Subsection 7.26(a) **ENCROACHMENTS INTO YARDS**, shall be permitted within the required minimum setback of 5.8 metres between the second floor living space above a garage that faces a front or exterior side lot line and said lot line.

R4-173(A), Notwithstanding Subsection 7.27 **AGRICULTURAL CODE OF**  
R4-173(B), **PRACTICE** of **SECTION 7: GENERAL PROVISIONS FOR ALL**  
R4-173(C), **ZONES**, Clause (a) shall not apply to those lands zoned site-specific  
RM2-173, Residential "R4-173(A)", "R4-173(B)" and "R4-173(C)", site-specific  
RM3- Residential Multiple "RM2-173" and "RM3-173(A)", Institutional "I-173"  
173(A), and Public Open Space "OS2" (specifically described as: Firstly PIN  
I-173 and 17385-0096 L.T., Secondly PIN 17385-0168 L.T., Thirdly PIN 17385-  
OS2 0098 L.T., and Fourthly PIN 17385-0157 L.T.).

R4-173(A) Notwithstanding Subsections 16.1 **PERMITTED USES** and 16.2  
**REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF**  
**SUBSECTION 16.1 (SINGLE DETACHED DWELLING)** of **SECTION**  
**16: RESIDENTIAL "R4" ZONE**, the following uses and regulations shall  
apply to those lands zoned site-specific Residential "R4-173(A)":

(a) PERMITTED USES

- (i) One (1) single detached dwelling per lot and one (1) semi-detached dwelling per lot;
- (ii) One (1) group home within a single detached dwelling; and,
- (iii) Uses, buildings and structures accessory to the uses described in Paragraph (a)(i) and (ii) of this section.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) AND (ii) OF THIS SUBSECTION

(i) Minimum Lot Frontage

- (A) 10.0 metres for a single detached dwelling, except on a corner lot, the minimum lot frontage shall be 12.0 metres.
- (B) 15.0 metres for an undivided semi-detached lot, except on a corner lot the minimum frontage shall be 19.0 metres for each dwelling.





- (C) 7.5 metres for each dwelling unit on a divided semi-detached lot, except on a corner lot the minimum lot frontage for the corner dwelling unit shall be 9.5 metres.

(ii) Minimum Lot Area

- (A) Two hundred and ninety-five (295) square metres for a single detached dwelling, except on a corner lot the minimum lot area shall be three hundred and forty (340) square metres.
- (B) Four hundred and forty (440) square metres for an undivided semi-detached lot, except on a corner lot the minimum lot area shall be five hundred and thirty (530) square metres for each dwelling.
- (C) Two hundred and twenty (220) square metres for each dwelling unit on a divided semi-detached lot, except on a corner lot the minimum lot area for the corner dwelling unit shall be two hundred and sixty-five (265) square metres.

(iii) Minimum Front Yard..... 4.5 metres, except:

a garage that faces a front lot line shall have a minimum front yard setback of 5.8 metres.

(iv) Minimum Interior Side Yard

- (A) 1.2 metres for a single detached dwelling, except that the minimum interior side yard may be reduced to 0.61 metres on one side of the lot provided the abutting lot has a minimum side yard of 1.2 metres.

- (B) 1.2 metres for a semi-detached dwelling.

(v) Minimum Exterior Side Yard..... 2.0 metres, except:

- (A) the minimum exterior side yard may be reduced to 1.0 metres where there is no sidewalk along the exterior side yard of the lot;
- (B) the minimum setback for any building or structure to a daylighting triangle or a visibility triangle shall be 0.0 metres; and,



- (C) a garage that faces an exterior side lot line shall have a minimum setback of 5.8 metres from the exterior side lot line.

(vi) Minimum Rear Yard ..... 7.0 metres

(vii) Maximum Height ..... 12.6 metres

(viii) Maximum Driveway Width

- (A) For single detached dwellings, the maximum driveway width shall be 4.8 metres, or the distance between the exterior walls of the garage, whichever is greater.

- (B) For semi-detached dwellings, the maximum driveway width shall be the distance between the exterior walls of the garage.

(ix) Garage Projections

- (A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:

(1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,

(2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.

- (B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

- (C) Notwithstanding subsection (ix)(A), the front face of a garage may project a maximum of 6.0 metres beyond the front face of the main building provided that a covered and unenclosed porch extends a minimum 2.5 metres from the front face of the main building, and provided subsections (ix)(A)(1) and (2) are applied.





(x) Repetition of Front Elevations

Not more than two (2) buildings with the same front elevations shall be built upon adjoining lots that front on the same street.

(xi) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsection 7.35(a)(vii) and Subsection 11.6(b), the following provisions shall apply:

- (A) each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres; and,
- (B) the required minimum exterior side yard of a corner lot abutting a public street may be used for the parking or storage of a motor vehicle on a driveway located between a public street and the front face of a garage.

(c) ADDITIONAL REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(ii) OF THIS SUBSECTION

A group home within a single detached dwelling shall be permitted pursuant to Subsections 17.3(h), (j), (k), (l), (m), and (n) of this By-law.

(d) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(iii) OF THIS SUBSECTION

Accessory uses, buildings and structures shall be pursuant to the provisions of Subsection 7.13 of this By-law.

**R4-173(B)** Notwithstanding Subsections 16.1 PERMITTED USES and 16.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 16.1 (SINGLE DETACHED DWELLING) of SECTION 16: RESIDENTIAL “R4” ZONE, the following uses and regulations shall apply to those lands zoned site-specific Residential “R4-173(B)”:

(a) PERMITTED USES

- (i) One (1) single detached dwelling per lot;
- (ii) One (1) group home within a single detached dwelling; and,



- (iii) Uses, buildings and structures accessory to the uses described in Paragraph (a)(i) and (ii) of this section.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) AND (ii) OF THIS SUBSECTION

- (i) Minimum Lot Frontage ..... 12.0 metres, except  
on a corner lot, the  
minimum lot frontage  
shall be 14.0 metres
- (ii) Minimum Lot Area ..... 350 square metres,  
except on a corner lot  
the minimum lot area  
shall be 400 square metres
- (iii) Minimum Front Yard ..... 4.5 metres, except:  
  
a garage that faces a front lot line shall have a minimum  
front yard setback of 5.8 metres.
- (iv) Minimum Interior Side Yard ..... 1.2 metres, except:  
  
that the minimum interior side yard may be reduced to 0.61  
metres on one side of the lot provided the abutting lot has a  
minimum side yard of 1.2 metres.
- (v) Minimum Exterior Side Yard ..... 2.0 metres, except:
- (A) the minimum exterior side yard may be reduced to 1.0  
metres where there is no sidewalk along the exterior  
side yard of the lot;
- (B) the minimum setback for any building or structure to a  
daylighting triangle or a visibility triangle shall be 0.0  
metres; and,
- (C) a garage that faces an exterior side lot line shall have a  
minimum setback of 5.8 metres from the exterior side  
lot line.
- (vi) Minimum Rear Yard ..... 7.0 metres
- (vii) Maximum Height ..... 12.6 metres



(viii) Maximum Driveway Width

The maximum driveway width shall be 4.8 metres, or the distance between the exterior walls of the garage.

(ix) Garage Projections

(A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:

(1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,

(2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.

(B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(C) Notwithstanding subsection (ix)(A), the front face of a garage may project a maximum of 6.0 metres beyond the front face of the main building provided that a covered and unenclosed porch extends a minimum 2.5 metres from the front face of the main building, and provided subsections (ix)(A)(1) and (2) are applied.

(x) Repetition of Front Elevations

Not more than two (2) buildings with the same front elevations shall be built upon adjoining lots that front on the same street.

(xi) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsection 7.35(a)(vii) and Subsection 11.6(b), the following provisions shall apply:





- (A) each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres; and,
- (B) the required minimum exterior side yard of a corner lot abutting a public street may be used for the parking or storage of a motor vehicle on a driveway located between a public street and the front face of a garage.

(c) ADDITIONAL REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(ii) OF THIS SUBSECTION

A group home within a single detached dwelling shall be permitted pursuant to Subsections 17.3(h), (j), (k), (l), (m), and (n) of this By-law.

(d) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(iii) OF THIS SUBSECTION

Accessory uses, buildings and structures shall be pursuant to the provisions of Subsection 7.13 of this By-law.

**R4-173(C)** Notwithstanding Subsections 16.1 PERMITTED USES of **SECTION 16: RESIDENTIAL “R4” ZONE**, those lands zoned site-specific Residential “R4-173(C)” shall only be used for single detached dwellings in accordance with the site-specific Residential “R4-173(A)” Zone and street townhouse dwellings in accordance with the site-specific Residential Multiple “RM2-173” Zone.

**RM2-173** Notwithstanding Subsection 18.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 18.1 (STREET TOWNHOUSE DWELLING) of **SECTION 18: RESIDENTIAL MULTIPLE “RM2” ZONE**, the following regulations shall apply to those lands zoned site-specific Residential Multiple “RM2-173”:

- (a) Minimum Lot Frontage ..... 5.5 metres  
per dwelling unit, except:
  - (i) for a dwelling end unit which does not abut a flanking street, the minimum lot frontage shall be 6.7 metres; and,
  - (ii) on a corner lot, the minimum lot frontage for an end dwelling unit adjacent to the flanking street shall be 9.0 metres.
- (b) Minimum Lot Area ..... 150 square metres  
per dwelling unit, except:



- (i) Not more than eight (8) dwelling units shall be attached in a continuous row; and,
- (ii) Not more than four (4) attached dwelling units shall be erected in a row without offsetting or staggering the front face or wall of the dwelling a minimum of 1.0 metre or without varying the exterior design and materials of the front face or wall of the dwelling.

(k) Garage Projections

- (i) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:
  - (A) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,
  - (B) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.
- (ii) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.
- (iii) Notwithstanding subsection (k)(i), the front face of a garage may project a maximum of 6.0 metres beyond the front face of the main building provided that a covered and unenclosed porch extends a minimum 2.5 metres from the front face of the main building, and provided subsections (k)(i)(A) and (B) are applied.

(l) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsection 7.35(a)(vii) and Subsection 11.6(b), the following provisions shall apply:

- (i) Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres; and,





- (ii) The required minimum exterior side yard of a corner lot abutting a public street may be used for the parking or storage of a motor vehicle on a driveway located between a public street and the front face of a garage.

**RM3-173(A)** Notwithstanding Subsections 19.1 PERMITTED USES and 19.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS) of SECTION 19: RESIDENTIAL MULTIPLE "RM3" ZONE, the following permitted uses and regulations shall apply to those lands zoned site-specific Residential Multiple "RM3-173(A)":

(a) PERMITTED USES

- (i) Single detached dwellings in accordance with the provisions of the site-specific Residential "R4-173(A)" Zone; or,
- (ii) Single detached dwellings, semi-detached dwellings and block townhouse dwellings;
- (iii) The following uses only in conjunction with the uses in Paragraph (a)(ii) of this Subsection: indoor and outdoor recreational areas, facilities and structures; and administrative sales offices; both of which are designed to primarily serve the needs of residents living in the "RM3-173(A)" Zone; and,
- (iv) Uses, buildings and structures, including gatehouses, accessory to the use described in Paragraph (a)(i), (ii) and (iii).

(b) SPECIFIC DEFINITIONS

Specific definitions in this Exception shall be as follows:

- (i) "indoor and outdoor private recreational areas, facilities and structures" shall include: recreational uses, facilities and structures; private parks; private clubs; and indoor and outdoor athletic facilities; and, shall mean an area which is designed and used for active and recreational pursuits of persons during their leisure time, and is not owned, operated or maintained by a "Public Authority", as defined in Section 4.0 of this By-law, and is not a "Privacy Area", as defined in Section 4.0 of this By-law;



- (ii) "private road" shall mean a road which is not owned and maintained by The Corporation of the City of Hamilton or by the Crown in Right of Ontario; and,
- (iii) "limits of a private road" shall mean the paved surface of the roadway, including any associated curb or sidewalk.

(c) REGULATIONS FOR USES PERMITTED PARAGRAPH (a)(ii) AND (iii) OF THIS SUBSECTION

- (i) Minimum Lot Frontage ..... 45.0 metres
- (ii) Minimum Lot Area ..... 0.4 hectares
- (iii) Maximum Number of Dwelling Units ..... 184 units
- (iv) Minimum Front Yard ..... 4.5 metres
- (v) Minimum Side and Rear Yards
  - (A) 1.2 metres abutting an Open Space Zone;
  - (B) 1.2 metres abutting the Hydro One hydro corridor; and,
  - (C) 7.0 metres abutting a Residential or Residential Multiple Zone.
- (vi) Minimum Separation Distance Between Buildings:
  - (A) 2.4 metres between end walls, except 10.0 metres between end walls separated by a private road;
  - (B) 15.0 metres between front walls;
  - (C) 12.0 metres between rear walls;
  - (D) 12.5 metres between front and side walls;
  - (E) 7.2 metres between rear and end walls, except 14.0 metres between rear and end walls separated by a private road; and,
  - (F) 3.0 metres between indoor and outdoor private recreational areas, facilities and structures and dwelling units.



(vii) Permitted Encroachments

- (A) Unenclosed porches, both covered and uncovered, may project a maximum 2.0 metres beyond a front wall.
- (B) Stairs used to provide access to unenclosed porches, both covered and uncovered, may project a maximum 0.61 metres beyond a front wall, measured from the limit of the porch.
- (C) Window projections with or without foundations, and architectural elements without a foundation such as, but not limited to, fireplaces, chimneys, pilasters, and corbels, may project a maximum 0.61 metres beyond the front, end or rear walls.
- (D) Balconies, canopies, awnings and fruit cellars may project a maximum 2.0 metres beyond the front or rear wall.
- (E) Decks may project 3.5 metres beyond the rear wall.

(viii) Indoor Private Recreational Areas, Facilities and Structures

Indoor private recreational areas, facilities and structures shall have a maximum gross floor area of three hundred and twenty-five (325) square metres.

(ix) Maximum Height ..... 12.6 metres

(x) Maximum Driveway Width

The maximum driveway width shall be the distance between the exterior walls of the garage.

(xi) Garage Projections

- (A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:
  - (1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,





(2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.

(B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

(xii) Minimum Garage Setback.....5.8 metres from the  
limits of a private road

(xiii) Minimum Landscaped Area.....50 percent of the  
lot area, which may include  
the required privacy area

(xiv) Fencing

Where the boundary of the site-specific Residential Multiple "RM3-173(A)" Zone adjoins lands zoned Existing Residential "ER", Residential "R1", "R2", "R3", "R4", or Residential Multiple "RM1", a solid fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

(xv) Minimum Privacy Area

A minimum area of thirty (30) square metres per dwelling unit shall be provided adjacent to the unit and screened on two (2) sides by means of a privacy screen.

(xvi) Minimum Amenity Area

A minimum area of five (5) square metres per dwelling unit shall be provided and thereafter maintained.

(xvii) Dwelling Unit Placement

(A) Not more than eight (8) dwelling units shall be attached in a continuous row; and,

(B) Not more than four (4) attached dwelling units shall be erected in a row without offsetting or staggering the front face or wall of the dwelling a minimum of 1.0 metres or without varying the exterior design and materials of the front face or wall of the dwelling.



(xviii) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsections 7.35(a)(vii) and (b), and Subsection 11.6(b), the following provisions shall apply:

- (A) Each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres;
- (B) Each dwelling unit shall have one (1) of the two (2) required parking spaces located within an attached private garage and the second parking space shall be provided contiguous to the unit; however, both parking spaces may be located underground or in a parking structure;
- (C) A minimum of two (2) parking spaces per dwelling unit shall be provided plus 0.25 visitor parking spaces for each dwelling unit. These parking spaces shall not include the required parking spaces for indoor private recreational facilities;
- (D) A minimum of one (1) parking space for each fifteen (15) square metres, or fraction thereof, of the total floor area of any indoor private recreational facility shall be provided adjacent to such facility and thereafter maintained; and,
- (E) No parking space or area shall be located closer to a street line than 6.0 metres and not be closer than 3.0 metres to any Residential Zone or where the adjoining land is used for residential purposes, unless such parking is located within a below-grade communal parking structure.

(d) REGULATIONS FOR USES PERMITTED PARAGRAPH (a)(iv)  
OF THIS SUBSECTION

Accessory uses, buildings and structures shall be pursuant to the provisions of Subsection 7.13 of this By-law.





**RM3-173(B)** Notwithstanding Subsections 19.1 PERMITTED USES and 19.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 19.1 (BLOCK TOWNHOUSE DWELLINGS) of SECTION 19: RESIDENTIAL MULTIPLE “RM3” ZONE, the following permitted uses and regulations shall apply to those lands zoned site-specific Residential Multiple “RM3-173(B)”:

(a) PERMITTED USES

- (i) Block townhouse dwellings and semi-detached dwellings; and,
- (ii) Uses, buildings and structures accessory to the use described in Paragraph (a)(i) of this Subsection.

(b) REGULATIONS FOR USES PERMITTED PARAGRAPH (a)(i) OF THIS SUBSECTION

- (i) Minimum Lot Frontage ..... 45.0 metres
- (ii) Minimum Lot Area ..... 0.3 hectares
- (iii) Maximum Number of Dwelling Units ..... 80
- (iv) Minimum Front Yard ..... 4.5 metres
- (v) Minimum Interior Side and Rear Yards ..... 7.0 metres
- (vi) Minimum Exterior Side Yard ..... 3.5 metres
- (vii) Minimum Separation Distance Between Buildings:
  - (A) 2.4 metres between end walls, except 10.0 metres between end walls separated by a private road;
  - (B) 15.0 metres between front walls;
  - (C) 12.0 metres between rear walls;
  - (D) 12.5 metres between front and side walls;
  - (E) 7.2 metres between rear and end walls, except 14.0 metres between rear and end walls separated by a private road; and,



- (F) 3.0 metres between indoor and outdoor private recreational areas, facilities and structures and dwelling units.

(viii) Permitted Encroachments

- (A) Unenclosed porches, both covered and uncovered, may project a maximum 2.0 metres beyond a front wall.
- (B) Stairs used to provide access to unenclosed porches, both covered and uncovered, may project a maximum 0.61 metres beyond a front wall, measured from the limit of the porch.
- (C) Window projections with or without foundations, and architectural elements without a foundation such as, but not limited to, fireplaces, chimneys, pilasters, and corbels, may project a maximum 0.61 metres beyond the front, end or rear walls.
- (D) Balconies, canopies, awnings and fruit cellars may project a maximum 2.0 metres beyond the front or rear wall.
- (E) Decks may project 3.5 metres beyond the rear wall.

(ix) Maximum Driveway Width

The maximum driveway width shall be the distance between the exterior walls of the garage.

(x) Garage Projections

- (A) The front face of a garage may project a maximum of 3.5 metres beyond the front face of the main building provided:
  - (1) the main second floor wall above the garage is setback a maximum of 2.5 metres from the front face of the garage; and,
  - (2) the second floor wall face above the garage has a minimum width of sixty percent (60%) of the garage width.



(B) Where habitable floor area is not provided above the garage, the front face of the garage may project a maximum of 2.0 metres beyond the front face of the main building.

- (xi) Minimum Garage Setback.....5.8 metres from the  
limits of a private road
- (xii) Maximum Height ..... 12.6 metres
- (xiii) Minimum Landscaped Area.....50 percent of the  
lot area, which may include  
the required privacy area
- (xiv) Fencing

Where the boundary of the site-specific Residential Multiple "RM3-173(B)" Zone adjoins lands zoned Existing Residential "ER", Residential "R1", "R2", "R3", "R4", or Residential Multiple "RM1", a solid fence with a height of 1.8 metres adjoining such boundary shall be provided and thereafter maintained.

(xv) Minimum Privacy Area

A minimum area of thirty (30) square metres per dwelling unit shall be provided adjacent to the unit and screened on two (2) sides by means of a privacy screen.

(xvi) Minimum Amenity Area

A minimum area of five (5) square metres per dwelling unit shall be provided and thereafter maintained.

(xvii) Dwelling Unit Placement

- (A) Not more than eight (8) dwelling units shall be attached in a continuous row; and,
- (B) Not more than four (4) attached dwelling units shall be erected in a row without offsetting or staggering the front face or wall of the dwelling a minimum of 1.0 metres or without varying the exterior design and materials of the front face or wall of the dwelling.





(xvii) Minimum Parking Requirements

Parking shall be provided pursuant to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law. Notwithstanding Subsections 7.35(a)(vii) and (b), and Subsection 11.6(b), the following provisions shall apply:

- (A) each parking space shall have a minimum width of 2.75 metres and a minimum length of 5.8 metres;
- (B) each dwelling unit shall have one (1) of the two (2) required parking spaces located within an attached private garage and the second parking space shall be provided contiguous to the unit; however, both parking spaces may be located underground or in a parking structure;
- (C) a minimum of two (2) parking spaces per dwelling unit shall be provided plus 0.25 visitor parking spaces for each dwelling unit; and,
- (D) no parking space or area shall be located closer to a street line than 6.0 metres and not be closer than 3.0 metres to any Residential Zone or where the adjoining land is used for residential purposes, unless such parking is located within a below-grade communal parking structure.

(c) REGULATIONS FOR USES PERMITTED PARAGRAPH (a)(ii) OF THIS SUBSECTION

Accessory uses, buildings and structures shall be pursuant to the provisions of Subsection 7.13 of this By-law.

**C1-173**

Notwithstanding Subsections 23.1 **PERMITTED USES** and 23.2 **REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 23.1** of **SECTION 23: NEIGHBOURHOOD COMMERCIAL "C1" ZONE**, the following permitted uses and regulations shall apply to those lands zoned site-specific Neighbourhood Commercial "C1-173":

(a) PERMITTED USES

- (i) Convenience retail stores; banks and financial institutions, with or without drive-thru facilities; personal service shops;



dry cleaning distribution stations; professional and business offices; and standard, take-out and fast food restaurants, with or without drive-thru facilities; and,

- (ii) Residential uses ancillary to the uses permitted in Paragraph (a)(i) of this Subsection.

(b) REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a)(i) OF THIS SUBSECTION

- (i) Minimum Lot Frontage ..... 30.0 metres
- (ii) Minimum Lot Depth ..... 38.0 metres
- (iii) Minimum Lot Area ..... 1,140 square metres
- (iv) Maximum Lot Coverage ..... 30 percent
- (v) Maximum Total Gross  
Leasable Floor Area ..... 1,500 square metres
- (vi) Maximum Gross Leasable Floor Area  
for Each Individual Establishment ..... 500 square metres
- (vii) Minimum Front Yard ..... 7.5 metres
- (viii) Minimum Interior Side Yard ..... 3.0 metres
- (ix) Minimum Exterior Side Yard ..... 4.5 metres
- (x) Minimum Rear Yard ..... 10.0 metres
- (xi) For the purposes of this By-law, the lot line that abuts Rymal Road East shall be deemed to be the front lot line.
- (xii) Maximum Height ..... 14.0 metres
- (xiii) Minimum Parking Requirements

Parking spaces shall be provided in accordance with the provisions of Subsection 23.2(l) of this By-law.

- (xiv) Minimum Loading Requirements



A By-law to amend Zoning By-law No. 464 respecting  
lands located on parts of Lots 4 & 5, Block 4 and parts of  
Lots 6 & 7, Block 5, Conc. 1 – former Township of Glanbrook

**OPEN SPACE "OS2" ZONE**, those lands zoned site-specific Public  
Open Space "OS2-173" shall only be used for storm water management  
facilities and passive recreational uses."

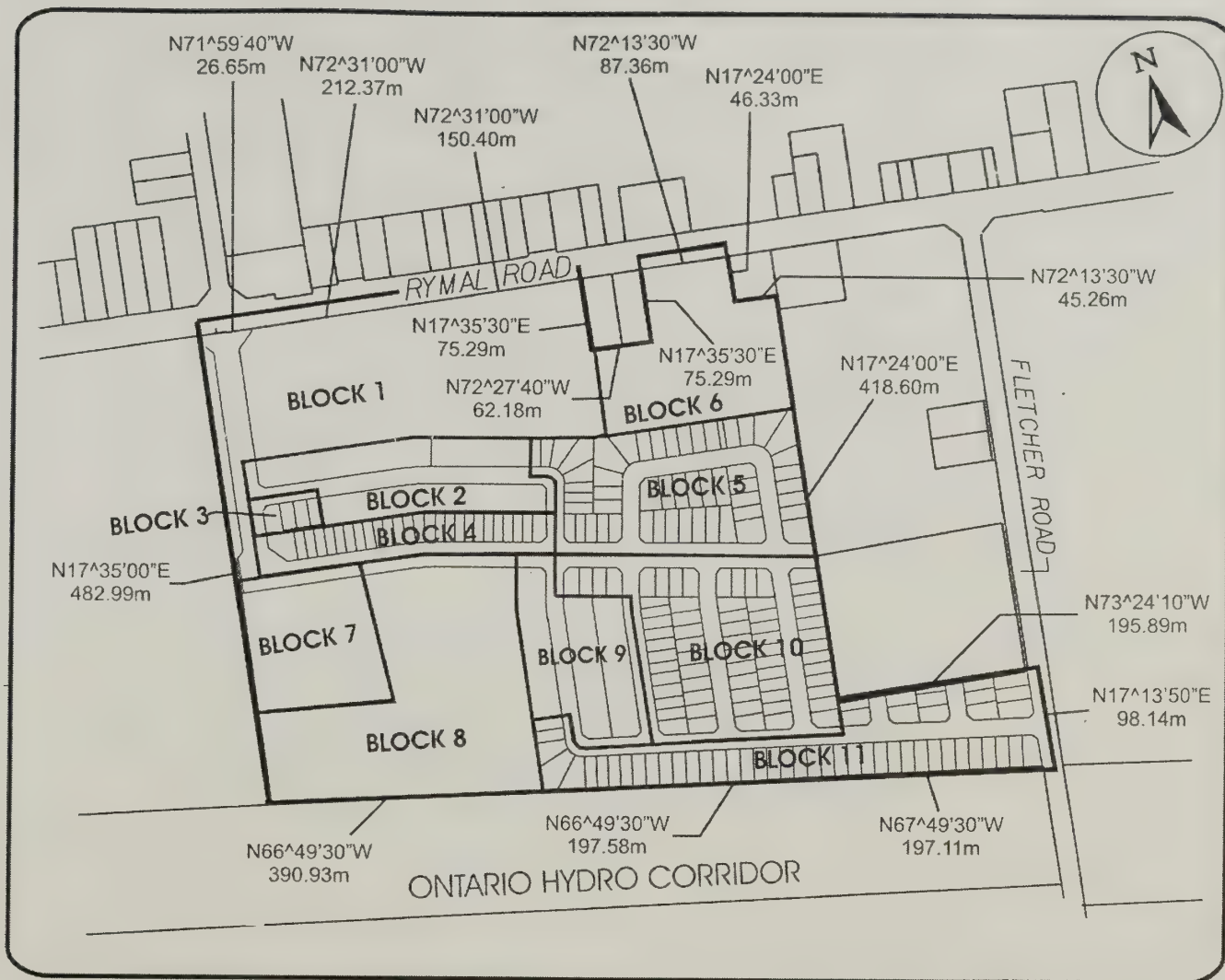
3. The City Clerk is hereby authorized and directed to proceed with the giving of  
notice of the passing of this By-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 27<sup>th</sup> day of November, 2002.

  
\_\_\_\_\_  
MAYOR  
\_\_\_\_\_  
CLERK







This is Schedule "A1" to By-Law No. 02- 331

Passed the 27th day of November, 2002.

*[Signature]*  
Clerk  
*[Signature]*  
Mayor

## Schedule "A1"

Map Forming Part of  
By-Law No. 02- 331

to Amend By-Law No. 464

CITY OF HAMILTON  
PLANNING AND DEVELOPMENT DEPARTMENT

|                                     |                          |                      |
|-------------------------------------|--------------------------|----------------------|
| Filename/number<br><b>ZAC-02-39</b> | Technician:<br><b>NM</b> | <b>Schedule "A1"</b> |
| Date<br><b>November 21, 2002</b>    | Map Not to Scale         |                      |

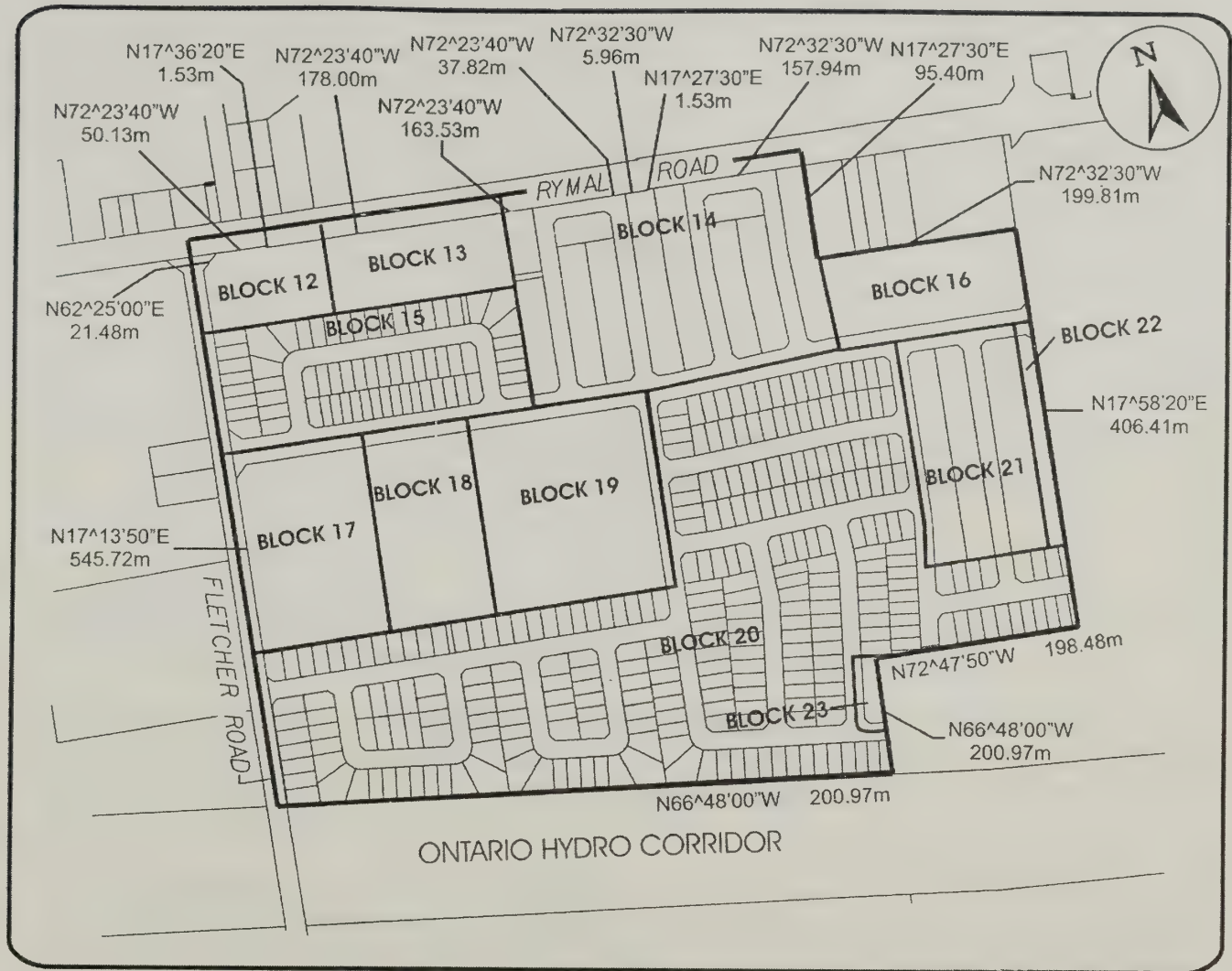
### Legend - Change in Zoning

- Block 1 - Rezone to the Deferred Development "DD" Zone
- Block 2 - Rezone to the site-specific Residential Multiple "RM2-173" Zone
- Blocks 3, 5 and 11 - Rezone to the site-specific Residential "R4-173(B)" Zone
- Block 4 and 10 - Rezone to the site-specific Residential "R4-173(A)" Zone
- Block 6 - Rezone to the site-specific Public Open Space "OS2-173" Zone
- Block 7 - Rezone to the Public Open Space "OS2" Zone
- Block 8 - Rezone to the site-specific Residential Multiple "RM3-173(A)" Zone
- Block 9 - Rezone to the site-specific Residential "R4-173(C)" Zone



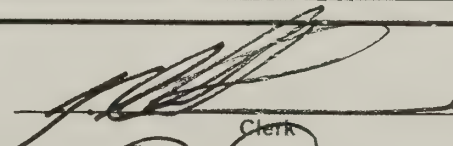
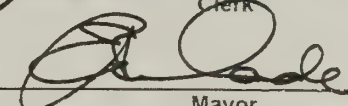
**Hamilton**





This is Schedule "A2" to By-Law No. 02-331

Passed the 27th day of November, 2002.

  
Clerk  
  
Mayor

## Schedule "A2"

Map Forming Part of  
By-Law No. 02-331

to Amend By-Law No. 464

CITY OF HAMILTON  
PLANNING AND DEVELOPMENT DEPARTMENT

Filename/number  
**ZAC-02-39**

Technician:  
**NM**

**Schedule "A2"**

Date  
**November 21, 2002**

Map Not to Scale

### Legend for Zoning Map

- Block 12 - Rezone to the site-specific Neighborhood Commercial "C1-173" Zone
- Block 13 - Rezone to the site-specific Public Open Space "OS2-173" Zone
- Blocks 14 and 21 - Rezone to the site-specific Residential Multiple "RM2-173" Zone
- Block 15 - Rezone to the site-specific Residential "R4-173(A)" Zone
- Block 16 - Rezone to the site-specific Residential Multiple - Holding "H-RM3-173(B)" Zone
- Blocks 17 and 19 - Rezone to the site-specific Institutional "I-173" Zone
- Block 18 - Rezone to the Public Open Space "OS2" Zone
- Block 20 - Rezone to the site-specific Residential "R4-173(B)" Zone
- Block 22 - Rezone to the site-specific Residential - Holding "H-R4-173(A)" Zone
- Block 23 - Rezone to the site-specific Residential - Holding "H-R4-173(B)" Zone



Hamilton





Bill No. 332

CITY OF HAMILTON

BY-LAW NO. 02-332

To Amend Zoning By-law No. 6593  
Respecting Lands Located at 2371 Barton Street East

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

**AND WHEREAS** the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Section 1 of Report 02-029 of the Hearing Sub Committee at its meeting held on the 18<sup>th</sup> day of September, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

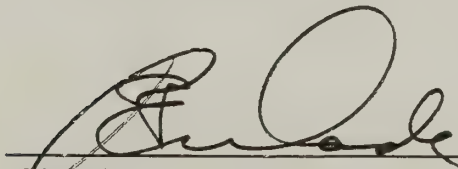
1. The "JJ" (Restricted Light Industrial) District provisions, as contained in Section 16A of Zoning By-law No. 6593, applicable to the lands, the extent boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,





- (a) notwithstanding Section 16A(1) of By-law No. 6593, a fitness club shall be permitted within the building existing at the time of the passing of the by-law; and,
  - (b) a sun tanning salon, juice bar, hair salon, aesthetics, pro shop, day care, video store, health food store and variety store shall be permitted, provided that the uses are accessory to a fitness club and located within the building, existing at the time of the passing of the by-law, and having access only from the interior of the building.
- 2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "JJ" District provisions, subject to the special requirements referred to in section 1.
  - 3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-128c.
  - 4. Sheet No. E-103 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-128c.
  - 5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 27<sup>th</sup> day of November, 2002.

  
MAYOR

  
CLERK





This is Schedule "A" to By-Law No. 02 - 332

Passed the 27th day of November, 2002.

Clerk

Mayor

## Schedule "A"

Map Forming Part of  
By-Law No. 02-332

to Amend By-Law No. 6593



Hamilton

Planning and Development Department

### Legend



#### Subject Property

2371 Barton Street East  
Further modifications to the established  
"JJ" (Restricted Light Industrial) District.

North



Scale  
NOT TO SCALE

Date  
November 18, 2002

Reference File No.  
ZAR-02-70

Drawn By  
NM



**Authority:** Item 3, Committee of the Whole  
Report 02-040 (PD02231)  
CM: November 27, 2002

**Bill No. 333**

**CITY OF HAMILTON**

**BY-LAW NO. 02-333**

**To Amend Zoning By-law No. 6593, as amended by Zoning By-laws 83-225, 84-24, and 01-255, Respecting Lands Located at 374 Mohawk Road East**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

**AND WHEREAS** the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Item 3 of Report 02-040 of the Committee of the Whole at its meeting held on the 27th day of November, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 01-255 (Hamilton), passed on the 1<sup>st</sup> of May, 2001, to the "H"- 'H' (Community Shopping and Commercial, etc. - Holding) District, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 01-255 (Hamilton) and forming part thereof, is hereby removed, and the development of lands may



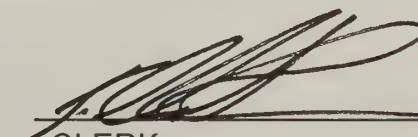


proceed in accordance with the "H" (Community Shopping and Commercial, etc.) District provisions of Zoning By-law No. 6593 (Hamilton), subject to the special requirements referred to in By-law No. 01-255 (Hamilton), and By-law No. 83-225 (Hamilton), as amended by By-law No. 84-24 (Hamilton).

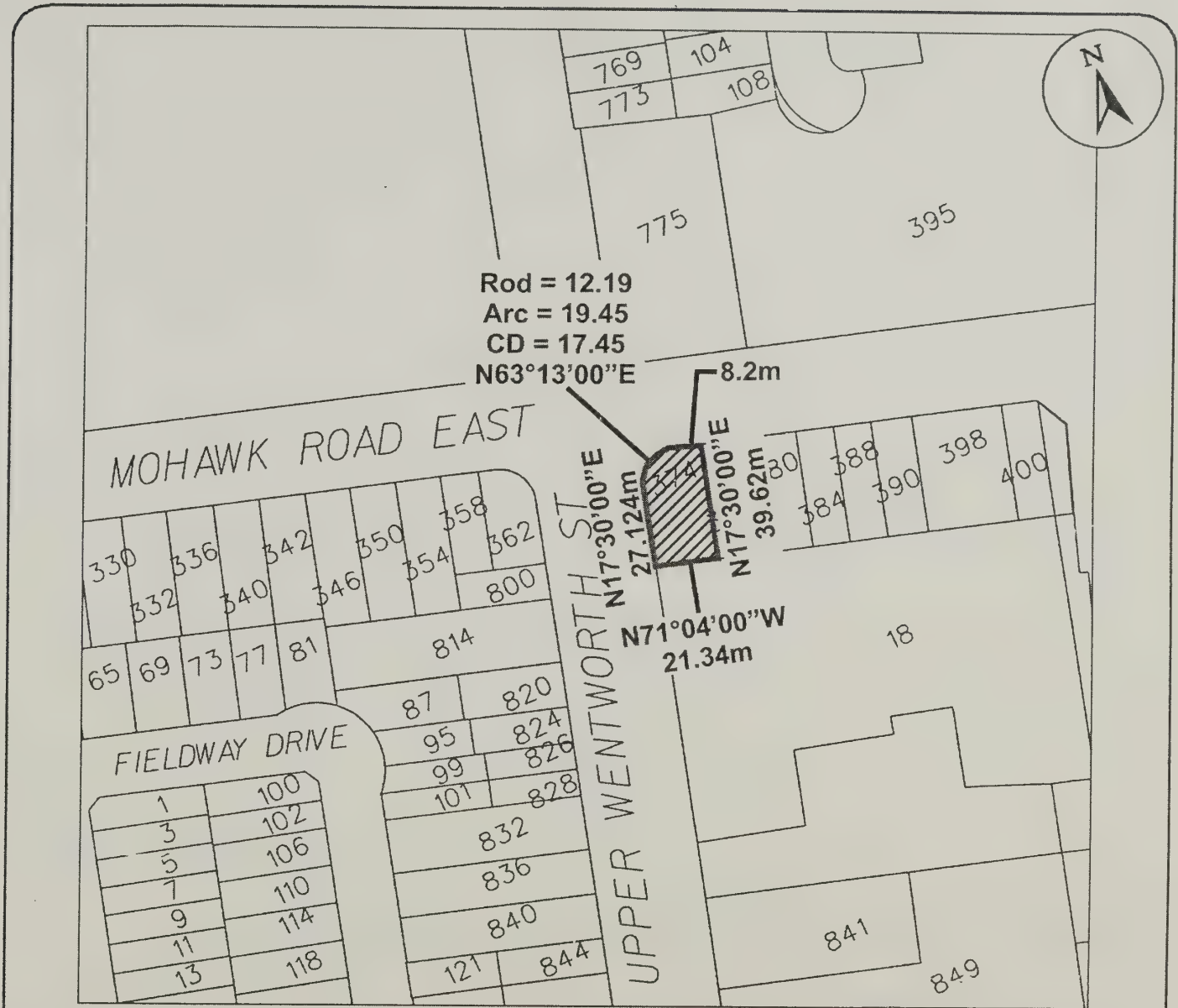
2. Sheet No. E-27 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by By-laws No. 83-225, 84-24, and 01-255, is further amended, by changing from "H"-H' (Community Shopping and Commercial, etc. - Holding) District, modified, to "H" (Community Shopping and Commercial, etc.) District, modified, the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" (Community Shopping and Commercial, etc.) District provisions, subject to the special requirements referred to in section 1 of By-law No. 01-255, and section 2 of By-law No. 83-225, as amended by By-law No. 84-24.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-840c.
5. Sheet No. E-27 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-840c.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 27<sup>th</sup> day of November, 2002.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK





This is Schedule "A" to By-Law No. 02 -333

Passed the 27th day of November, 2002.

*[Signature]*  
Clerk

*[Signature]*  
Mayor

## Schedule "A"

Map Forming Part of  
By-Law No. 02-333

to Amend By-Law No. 6593



Hamilton

Planning and Development Department

## Legend



### Subject Property

374 Mohawk Road East - Change in zoning from "H" - 'H' (Community Shopping and Commercial, etc. Holding) District, Modified to "H" (Community Shopping and Commercial, etc.) District, Modified

North



Scale

NOT TO SCALE

Date

October 29, 2002

Reference File No.

ZAR-02-32

Drawn By

LM



Authority:

Item 1, Hearings Sub-Committee

Report: 02-033 (PD02156)

CM: October 23, 2002

**Bill No. 334**

The City of Hamilton

BY-LAW NO. 02-334

To Adopt:

Official Plan Amendment No. 95 to the Stoney Creek Official Plan;

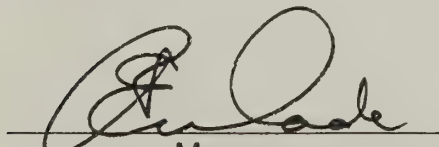
Respecting:

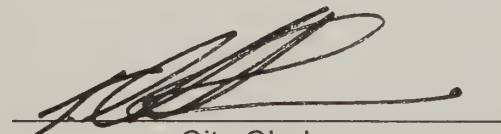
**604 Highway No. 8.**

The Council of the City of Hamilton enacts as follows:

1. Amendment No. 95 to the Official Plan of the Stoney Creek Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

**PASSED** this 27<sup>th</sup> day of November, A.D. 2002

  
Mayor

  
City Clerk









"General Commercial"

- b) adding the subject lands as OPA No. 95.

as shown on the attached Schedule "A" of this Amendment.

2. Schedule "A1", Secondary Plan - Western Development Area of the Stoney Creek Official Plan be amended by:

- a) redesignating the subject lands from "Medium Density Residential" to "General Commercial"

- b) adding the subject lands as OPA No.95.

as shown on the attached Schedule "A1" of this Amendment.

3. Section A.3.3.2 – General Commercial be amended by adding the following new policy as A.3.3.2.6 m);

"Those lands designated General Commercial and known as 604 Highway 8 shall be limited to a medical clinic, professional offices and one accessory dwelling unit. All uses shall be permitted only within the existing heritage structure, and any minor rear additions, for lands known as 604 Highway No. 8, Stoney Creek and comprising a two-and-one-half storey structure in the Queen Anne style and distinguished by a high stone foundation, wrap-around verandah, stone sills and lintels, patterned brickwork, cross gables, and hip roof."

**Implementation:**

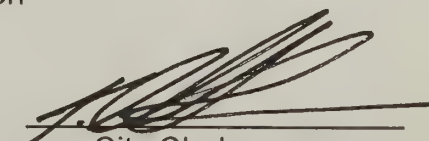
A Zoning By-Law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 02-334 passed on the 27<sup>th</sup> day of November, 2002.



Mayor

The City of Hamilton



City Clerk



**Amendment No.95**

**to the**

**Official Plan of the Former City of Stoney Creek**

The following Schedules "A" , General Land Use Plan, and "A1", Secondary Plan - Western Development Area, attached hereto, constitutes Official Plan Amendment No. 95.

**Purpose:**

The purpose of the Amendment is to redesignate the subject land from "Medium Density Residential" to " General Commercial" Schedules "A", General Land Use Plan, and "A1", Secondary Plan - Western Development Area, and to establish a site specific policy to permit a medical clinic and professional offices with an accessory dwelling unit and to require all uses to be located within the existing heritage structure.

**Location:**

The land affected by this Amendment is known municipally as 604 Highway No. 8.

**Basis:**

The intent of the Amendment is to redesignate the subject land to permit a dentist's office and an accessory dwelling unit in an existing dwelling. The basis for permitting the proposal is as follows:

- The proposed uses are compatible with the character of existing development in the area;
- It meets the intent of the Official plan policies to preserve, enhance and /or rehabilitate heritage structures.
- Sufficient off-street parking will be provided; and
- The site is located on an arterial road.

**Actual Changes:**

1. Schedule "A", General Land Use Plan of the Stoney Creek Official Plan be amended by:
  - a) redesignating the subject lands from "Medium Density Residential" to





**Schedule A 1  
Amendment No. 95  
to the Official Plan  
for the former City of Stoney Creek**

Change:

Redesignate lands from Medium Density  
to General Commercial

Date: November 2002  
Revised by: Kyle MacIntyre  
Reference file No. OPA 95(S)

3 Poplar Park Neighbourhood

5. Guernsey Neighbourhood

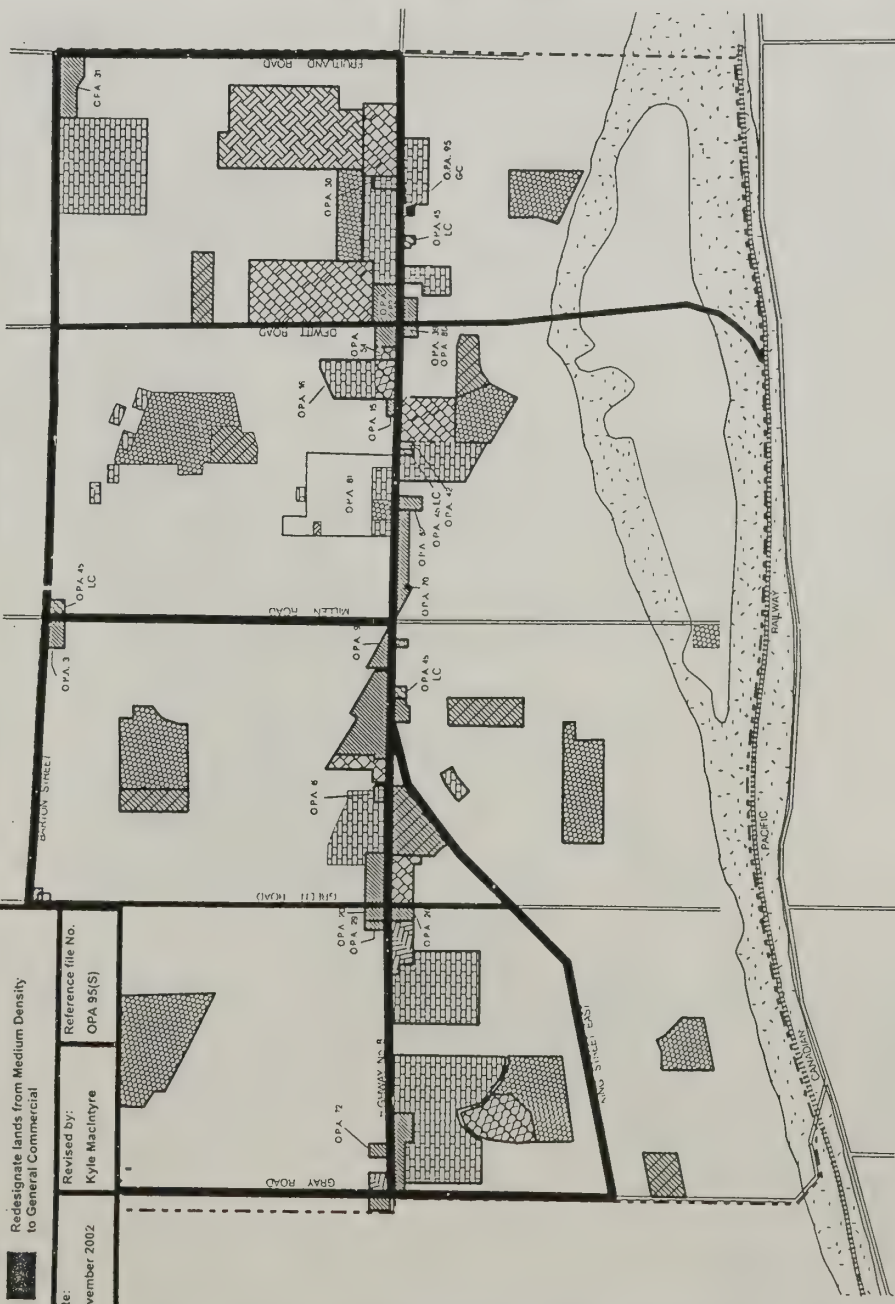
7. Westmead Neighbourhood

2 Corns Neighbourhood

4. South Meadow Neighbourhood

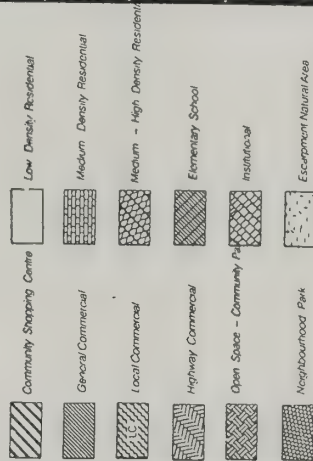
6. Highway Valley Neighbourhood

8. Delvist Neighbourhood



**Legend**

Land Use Designations



**CITY OF STONEY CREEK  
OFFICIAL PLAN  
Schedule "A1" Secondary Plan  
Western Development Area**



**CITY OF STONEY CREEK  
OFFICIAL PLAN  
SCHEDULE "A1" SECONDARY PLAN  
WESTERN DEVELOPMENT AREA**

Updated: DECEMBER 11th, 2002

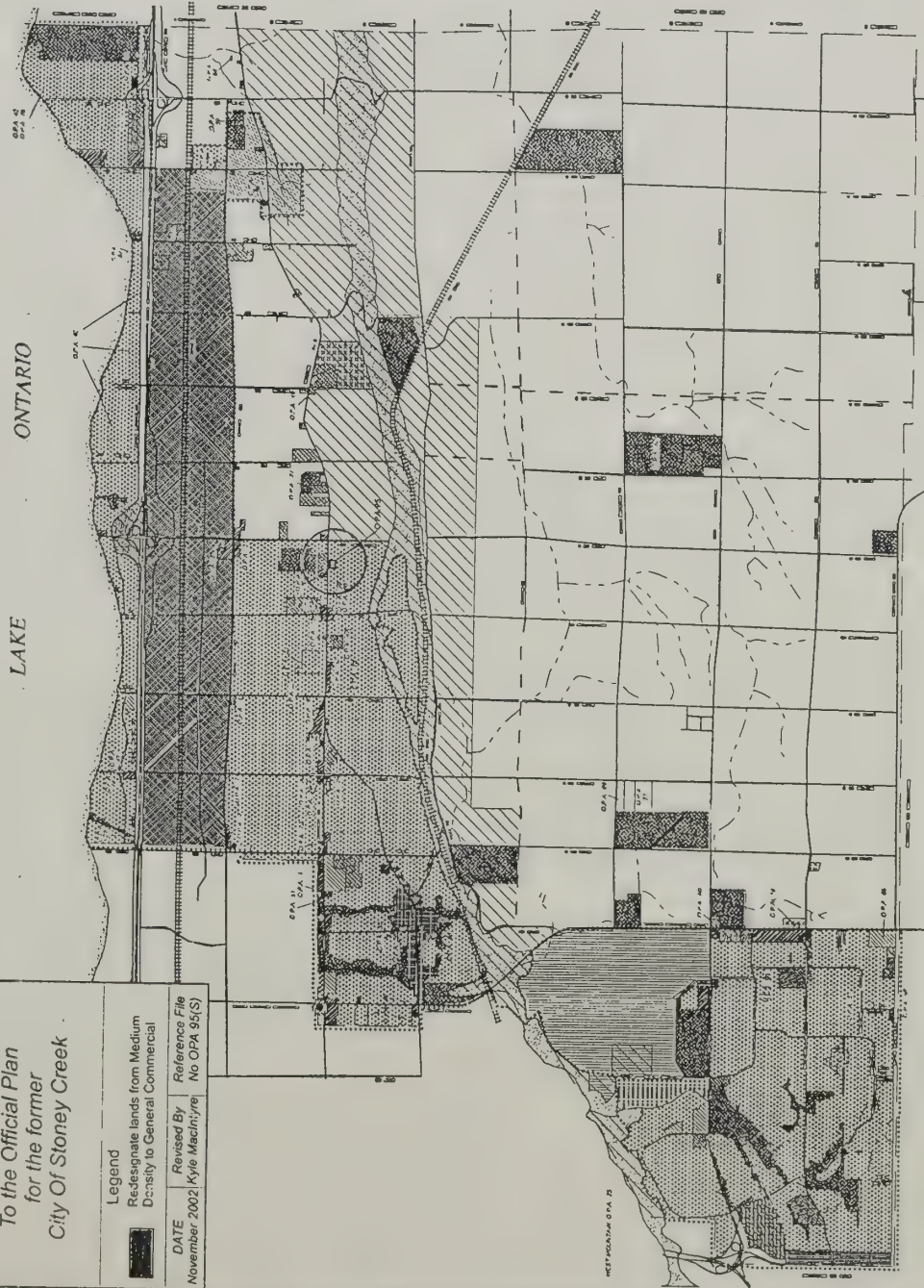
Planning/photocopy at 10pm



**SCHEDULE A**  
**AMENDMENT No.95**  
*To the Official Plan  
for the former  
City Of Stoney Creek*

**Legend**  
Resignate lands from Medium  
Density to General Commercial

|                              |                                      |                                       |
|------------------------------|--------------------------------------|---------------------------------------|
| <b>DATE</b><br>November 2002 | <b>Revised By</b><br>Kylie MacIntyre | <b>Reference File</b><br>No OPA 55(S) |
|------------------------------|--------------------------------------|---------------------------------------|



**CITY OF STONEY CREEK**  
**OFFICIAL PLAN**  
**Schedule "A"**  
**General Land Use Plan**

**Legend**

**Land Use Designations**

- |  |  |
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**CITY OF STONEY CREEK**  
**PLANNING DEPARTMENT**

UPDATED December 11th 2000





# SCHEDULE A AMENDMENT No.95

To the Official Plan  
for the former  
City Of Stoney Creek

## Legend

Redesignate lands from Medium  
Density to General Commercial

DATE: November 2002  
Revised By: Kyle MacIntyre  
Reference File No. OPA 95(S)

LAKE

ONTARIO

# CITY OF STONEY CREEK OFFICIAL PLAN

Schedule "A"  
General Land Use Plan

## Legend

### Land Use Designations

- |  |                            |  |                                                      |
|--|----------------------------|--|------------------------------------------------------|
|  | Residential                |  | Special Policy Area 'A'                              |
|  | Central Area               |  | Special Policy Area 'B'                              |
|  | Shopping Centres           |  | Special Policy Area 'C'<br>(West Mountain Core Area) |
|  | General Commercial         |  | Municipal Boundary                                   |
|  | Highway Commercial         |  | Business Improvement Area<br>(B.I.A.)                |
|  | Service Commercial         |  | Provincial Highway                                   |
|  | Industrial - Business Park |  | Regional Road                                        |
|  | Institutional              |  | Municipal Road                                       |
|  | Winona Urban Community     |  | Railway                                              |
|  | Open Space                 |  | Water Course                                         |
|  | Escarpment Natural Area    |  | Urban Policy Area                                    |
|  | Agricultural               |  | O.P.A. Official Plan Amendment                       |
|  | Rural Industrial           |  | Sub-Regional Centre                                  |
|  | Rural Lakeshore            |  |                                                      |



CITY OF STONEY CREEK  
PLANNING DEPARTMENT

UPDATED December 11th 2000









City of Hamilton

BY-LAW NO. 02-335

To Amend:

Zoning By-law No. 3692-92 (Stoney Creek)

Respecting:

**LANDS LOCATED AT 604 HIGHWAY NO. 8  
(formerly Stoney Creek)**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

**AND WHEREAS** the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986.

**AND WHEREAS** it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under Subsections 9.6.7 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1994;





**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

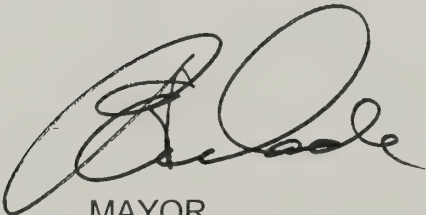
1. Map No. 7 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:
  - (i) by changing from the Single Residential - One "R1" Zone to the General Commercial (Holding) "GC-50(H)" Zone, those lands known as 604 Highway No. 8 and more particularly shown on Schedule 'A' attached hereto and forming part of this By-law.
2. That Subsection 8.3.8, "Special Exemptions", of Section 6.3, Single Residential "R2" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), be amended by adding a new special exemption, "GC-50(H)", to include the following:
  - (i) Notwithstanding the provisions of paragraph (a) of Subsection 8.3.2 of the General Commercial "GC" Zone, the uses shall be located within the existing heritage building and shall be restricted to a medical clinic, professional office and one (1) accessory dwelling unit, provided such use is located together with a permitted commercial use within the same heritage building and is not located on the ground floor, or in the cellar or basement;
  - (ii) Notwithstanding the provisions of Subsection 8.3.3 of the General Commercial "GC" Zone, the external appearance and height, comprising of the entire north, east, west and east facades and hip roof, and all associated building material and architectural features of the two-and-one-half storey heritage structure, shall be preserved and maintained. These materials and features include, but are not limited to, the high stone foundation, wrap-around verandah, entranceways and doors, windows and leaded glass, stone sills and lintels, brickwork, chimneys, cross gables and hip roof and all associated decorative woodwork existing on the day of the passing of the By-law;
  - (iii) Notwithstanding the provisions of paragraph (a) of Subsection 8.3.3 of the General Commercial "GC" Zone, the minimum lot frontage shall be thirty (30) metres;
  - (iv) Notwithstanding the provisions of paragraph (g) 2. of Subsection 8.3.3 of the General Commercial "GC" Zone, the minimum landscaped strip along the east property line and the rear lot line, between the east property line and detached garage, shall be 2.5 metres;
  - (v) Notwithstanding the provisions of Subsection 8.1.4, Accessory Buildings, of the General Provisions For Commercial Zones, the minimum rear yard setback shall be 1.5 metres; and,





- (vi) The "H" symbol may be removed from those lands zoned "GC-50(H)" by this By-law, at such time as the owner has entered into a Site Plan Agreement with the City.
3. That the City Clerk is hereby authorised and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27<sup>th</sup> day of November, A.D. 2002



MAYOR

KUTLESA, Damir & Marijana  
ZAC-02-40



CITY CLERK





This is Schedule "A" to By-Law No. 02 - 335

Passed the 27th day of November, 2002.

*[Signature]*  
Clerk

*[Signature]*  
Mayor

## Schedule "A"

Map Forming Part of  
By-Law No. 02-335

to Amend By-Law No. 3692-92



Hamilton

Planning and Development Department

## Legend



Lands to be rezoned from the Single Residential - One "R1" Zone to the General Commercial (Holding) "GC-50(H)" Zone

North



Scale  
NOT TO SCALE

Date  
November 21, 2002

Reference File No.  
OPA-02-11/ ZAC-02-40

Drawn By  
L.M.M.



CITY OF HAMILTON

BY-LAW NO. 02-336

**To Amend By-law No. 01-218, as amended,  
Being a By-law To Regulate On-Street Parking**

**WHEREAS** Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

**AND WHEREAS** Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

**AND WHEREAS** it is necessary to amend By-law No. 01-218, as amended;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

|         |       |                                                 |        |             |           |
|---------|-------|-------------------------------------------------|--------|-------------|-----------|
| "Barton | South | from 24.5m west of Barton to 10.3m westerly     | 1 hr   | Anytime     | Anyday    |
| Dundurn | West  | from 23.3m north of Herkimer to 34.3m northerly | 1 hr   | 9 am – 9 pm | Anyday    |
| Dundurn | West  | Herkimer to 22.3m northerly                     | 15 min | Anytime     | Anyday    |
| Dundurn | East  | Aberdeen to Stanley                             | 3 hr   | 8 am – 6 pm | Mon – Sat |
| Dundurn | West  | from 87.5m north of Aberdeen to Homewood        | 3 hr   | 8 am – 6 pm | Mon – Sat |





|         |      |                     |      |             |           |
|---------|------|---------------------|------|-------------|-----------|
| Dundurn | West | Hill to Charlton    | 1 hr | 8 am – 6 pm | Mon – Fri |
| Dundurn | East | Charlton to Chatham | 1 hr | 8 am – 6 pm | Mon – Fri |
| Dundurn | East | Chatham to Hill     | 1 hr | 8 am – 6 pm | Mon – Sat |

and by adding to Section "F" thereof the following items, namely:

|                 |       |                                                                                             |        |             |           |
|-----------------|-------|---------------------------------------------------------------------------------------------|--------|-------------|-----------|
| "Lake Avenue    | Both  | King Street to Maple Avenue                                                                 | 3 hr   | 9 am – 6 pm | Mon – Fri |
| Bland Avenue    | West  | From the property line between 38 and 40 Bland Avenue to the southern limit of Bland Avenue | 2 hr   | Anytime     | Anyday    |
| Bland Avenue    | East  | From the property line between 39 and 41 Bland Avenue to the southern limit of Bland Avenue | 2 hr   | Anytime     | Anyday    |
| Elm Avenue      | West  | King Street to 122m southerly                                                               | 2 hr   | 9 am – 6 pm | Mon – Fri |
| Jones Street    | North | from 146m west of King Street to 15m east of Mountain Avenue                                | 2 hr   | 9 am – 6 pm | Mon – Fri |
| King Street     | Both  | Second Street to New Mountain Road                                                          | 2 hr   | 9 am – 9 pm | Mon – Sat |
| Mountain Avenue | West  | from 12m south of King Street to 11m southerly                                              | 15 min | Anytime     | Anyday    |
| Mountain Avenue | West  | from 23m south of King Street to 12m southerly                                              | 2 hr   | 9 am – 6 pm | Mon – Fri |
| Mountain Avenue | West  | from 80m south of King Street to 20m north of Maple Avenue                                  | 2 hr   | 9 am – 6 pm | Mon – Fri |
| Second Street   | West  | King Street to 27.3m southerly                                                              | 2 hr   | 9 am – 5 pm | Mon – Sat |



|                 |       |                    |      |         |         |
|-----------------|-------|--------------------|------|---------|---------|
| Shadyglen Drive | North | Hillcroft Drive to | 3 hr | Anytime | Anyday" |
|-----------------|-------|--------------------|------|---------|---------|

and by deleting from Section "F" thereof the following items, namely:

|                       |       |                                                                                             |                                                                |
|-----------------------|-------|---------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| "Bland Avenue         | West  | From the property line between 38 and 40 Bland Avenue to the southern limit of Bland Avenue | Maximum two hour parking only                                  |
| Bland Avenue          | East  | From the property line between 39 and 41 Bland Avenue to the southern limit of Bland Avenue | Maximum two hour parking only                                  |
| Elm Avenue            | West  | From a point 15 metres south of King Street to a point 122 metres south of King Street      | Maximum two hour parking 9:00a.m. to 6:00 p.m.Monday to Friday |
| Jones Street          | North | From a point 146 metres west of King Street to a point 15 metres east of Mountain Avenue    | Maximum two hour parking 9:00a.m. to 6:00 p.m.Monday to Friday |
| King Street West      | Both  | Second St. to New Mountain Road                                                             | Maximum 2 hours 9:00 a.m. to 9:00 p.m. Monday to Saturday      |
| Lake Avenue Drive     | East  | From a point 61 metres south of King Street to a point 74 metres south of King Street       | Maximum two hour parking 9:00a.m. to 6:00 p.m.Monday to Friday |
| Lake Avenue Drive     | East  | From a point 79 metres south of King Street to a point 15 metres north of Maple Avenue      | Maximum two hour parking 9:00a.m. to 6:00 p.m.Monday to Friday |
| Lake Avenue Drive     | West  | From a point 33 metres south of King St to a point 15m north of Maple Ave                   | Maximum two hour parking 9:00 am to 6:00 pm Monday to Friday   |
| Mountain Avenue South | West  | From a point 12m south of King Street East to a point 23m south of King Street East         | 15 Minute Parking Only                                         |



|                       |       |                                                                                        |                                                                |
|-----------------------|-------|----------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Mountain Avenue South | West  | From a point 80 meters south of King Street to a point 20 meters north of Maple Avenue | Maximum 2 hour parking 9:00a.m. to 6:00 p.m. Monday to Friday  |
| Mountain Avenue South | West  | From a point 23 metres south of King Street to a point 35 metres south of King Street  | Maximum 2 hour parking 9:00 a.m. to 6:00 p.m. Monday to Friday |
| Second St. South      | West  | King St. W. to 23.7m southerly                                                         | Maximum 2 hours 9:00 a.m. to 5:00 p.m. Monday to Saturday      |
| Shadyglen Drive       | North | From Hillcroft Drive to Hampshire Place                                                | Maximum three" parking only                                    |

and by deleting from Subsection "A" of Section "G" thereof the following item, namely:

|          |                                                                                     |        |       |
|----------|-------------------------------------------------------------------------------------|--------|-------|
| "Dundurn | West side commencing 12.5m north of Herkimer and extending 9.8m northerly therefrom | 15 min | none" |
|----------|-------------------------------------------------------------------------------------|--------|-------|

and by deleting from Subsection "B"(4) of Section "G" thereof the following items, namely:

"Dundurn East Aberdeen to Stanley

Dundurn West from 287 feet north of Aberdeen to Homewood"

and by deleting from Subsection "B"(6) of Section "G" thereof the following items, namely:

"Dundurn East Aberdeen to Stanley

Dundurn West rom 287 feet northof Aberdeen to Homewood"

and by deleting from Subsection "B"(17) of Section "G" thereof the following item, namely:

"Dundurn West Aberdeen to a point 287 feet northerly therefrom"





and by deleting from Subsection "C"(3) of Section "G" thereof the following item, namely:

"Dundurn Both Hill to Charlton"

2. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

|              |      |                                                                        |         |
|--------------|------|------------------------------------------------------------------------|---------|
| "Lynden Ave. | West | From 29.3m south of Little John Rd. to the southern end of Lynden Ave. | Anytime |
|--------------|------|------------------------------------------------------------------------|---------|

|             |      |                                                                        |          |
|-------------|------|------------------------------------------------------------------------|----------|
| Lynden Ave. | East | From 28.4m south of Little John Rd. to the southern end of Lynden Ave. | Anytime" |
|-------------|------|------------------------------------------------------------------------|----------|

and by deleting from Section "B" thereof the following item, namely:

|              |       |                                                               |          |
|--------------|-------|---------------------------------------------------------------|----------|
| "King St. E. | North | East property line of Martino Memorail Park to 66.4m westerly | Anytime" |
|--------------|-------|---------------------------------------------------------------|----------|

and by adding to Section "E" thereof the following items, namely:

|          |      |              |         |
|----------|------|--------------|---------|
| "Dundurn | Both | Main to King | Anytime |
|----------|------|--------------|---------|

|         |      |              |         |
|---------|------|--------------|---------|
| Dundurn | Both | Hunt to York | Anytime |
|---------|------|--------------|---------|

|         |      |                              |         |
|---------|------|------------------------------|---------|
| Dundurn | East | Melbourne to 22.9m southerly | Anytime |
|---------|------|------------------------------|---------|

|         |      |                                                       |          |
|---------|------|-------------------------------------------------------|----------|
| Dundurn | West | from 22.9m north of Chatham to 58.8m south of Chatham | Anytime" |
|---------|------|-------------------------------------------------------|----------|

and by deleting from Section "E" thereof the following items, namely:

|       |      |                        |         |
|-------|------|------------------------|---------|
| "John | West | Strachan to Burlington | Anytime |
|-------|------|------------------------|---------|

|      |      |                      |         |
|------|------|----------------------|---------|
| John | West | Murray to Burlington | Anytime |
|------|------|----------------------|---------|

|            |      |                  |         |
|------------|------|------------------|---------|
| Kenilworth | Both | King to Lawrence | Anytime |
|------------|------|------------------|---------|

|        |       |                                                |          |
|--------|-------|------------------------------------------------|----------|
| Lavina | South | from 134.5m west of Magnolia to 16.8m westerly | Anytime" |
|--------|-------|------------------------------------------------|----------|



and by adding to Section "F" thereof the following items, namely:

|               |       |                                               |          |
|---------------|-------|-----------------------------------------------|----------|
| "Arvin Avenue | North | from 117m west of Dewitt Road to 41m westerly | Anytime" |
|---------------|-------|-----------------------------------------------|----------|

and by deleting from Section "G(l)" thereof the following items, namely:

|          |      |                           |          |
|----------|------|---------------------------|----------|
| "Dundurn | Both | Main to King              | Anytime  |
| Dundurn  | Both | Hunt to York              | Anytime  |
| Dundurn  | East | Melbourne to 75 ft. south | Anytime  |
| Dundurn  | West | Chatham to 98 feet north  | Anytime  |
| Dundurn  | West | Chatham to 193 ft. south  | Anytime" |

3. Schedule 9 (Alternate Side Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

|                 |                                                    |       |       |
|-----------------|----------------------------------------------------|-------|-------|
| "Lynden Ave.    | Little John Rd. to the southern end of Lynden Ave. | West  | East  |
| Ancaster St. E. | Osler Dr. to East St.                              | North | South |
| Ann St.         | Creighton Rd. to west end of Ann St.               | North | South |
| Bridlewood Dr.  | Governor's Rd. to Highland Park                    | East  | West  |
| Bridlewood Dr.  | Cameron Ave. to Hunter St.                         | East  | West  |
| Cross St.       | Melville St. to Alma St.                           | East  | West  |
| Helen St.       | Willett Hill to north end of Helen St.             | East  | West  |
| Hillside Ave.   | South St. to base of the hill                      | East  | West  |
| Hope St.        | McMurray St. to east end of Hope St.               | North | South |
| MacNab St.      | Head St. to Napier St.                             | North | South |
| Melville St.    | Albert St. to Market St.                           | North | South |



|                 |                                        |       |        |
|-----------------|----------------------------------------|-------|--------|
| Park St.        | York Rd. to Wellington St.             | North | South  |
| Parkside Ave.   | Alma St. to Cayley St.                 | East  | West   |
| Victoria St.    | Albert St. to 85m west of Princess St. | North | South  |
| Witherspoon St. | Market St. to Melville St.             | North | South  |
| York St.        | Main St. to King St.                   | North | South" |

and by deleting from Section "B" thereof the following items, namely:

|                  |                |                               |            |            |
|------------------|----------------|-------------------------------|------------|------------|
| "Ancaster St. E. | Osler Dr.      | East St.                      | North Side | South Side |
| Ann St.          | Creighton Rd.  | West end of Ann St.           | North Side | South Side |
| Bridlewood Dr.   | Governor's Rd. | Highland Park                 | East Side  | West Side  |
| Bridlewood Dr.   | Cameron Ave.   | Hunter St.                    | East Side  | West Side  |
| Cross St.        | Melville St.   | Alma St.                      | East Side  | West Side  |
| Helen St.        | Willet Hill    | North End                     | East Side  | West Side  |
| Hillside Ave.    | South St.      | South to the base of the hill | East Side  | West Side  |
| Hope St.         | McMurray St.   | To east end of Hope St.       | North Side | South Side |
| Melville St.     | Albert St.     | Market St.                    | North Side | South Side |
| McNab St.        | Market St.     | Napier St.                    | North Side | South Side |
| MacNab St.       | Head St.       | Market St.                    | North Side | South Side |
| Park St.         | York Road      | Wellington St.                | North Side | South Side |
| Parkside Ave.    | Alma St.       | Cayley St.                    | East Side  | West Side  |
| Victoria St.     | Albert St.     | 85m west of Princess St.      | North Side | South Side |





|                 |            |              |            |             |
|-----------------|------------|--------------|------------|-------------|
| Witherspoon St. | Market St. | Melville St. | North Side | South Side  |
| York St.        | Main St.   | King St.     | North Side | South Side" |

4. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following items, namely:

|          |       |                                                                                      |          |
|----------|-------|--------------------------------------------------------------------------------------|----------|
| "Douglas | East  | commencing 87 feet north of Keith and extending 20 feet northerly therefrom          | Anytime  |
| Douglas  | West  | commencing 75 feet north of Keith and extending 20 feet northerly therefrom          | Anytime  |
| Leeming  | West  | commencing at a point 84 feet south of Wright to a point 22 feet southerly therefrom | Anytime  |
| McAnulty | North | 85 feet west of Martimas to 20 feet westerly therefrom                               | Anytime  |
| McAnulty | South | 62 feet west of Martimas to 20 feet westerly therefrom                               | Anytime  |
| Oak      | West  | commencing 309 feet north of Cannon and extending 24 feet northerly therefrom        | Anytime" |

5. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

|              |      |                                    |          |
|--------------|------|------------------------------------|----------|
| "Lynden Ave. | West | Little John Rd. to 15.2m southerly | Anytime  |
| Lynden Ave.  | East | Little John Rd. to 16.2m southerly | Anytime" |

and by adding to Section "E" thereof the following item, namely:

|            |      |                           |          |
|------------|------|---------------------------|----------|
| "Grosvenor | West | Cannon to 33.5m northerly | Anytime" |
|------------|------|---------------------------|----------|

and by deleting from Section "G" thereof the following item, namely:

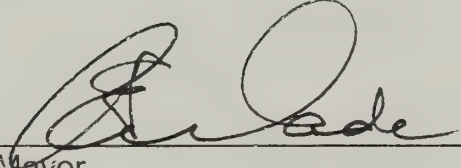
|        |      |                                  |         |
|--------|------|----------------------------------|---------|
| "James | East | Bold to 123 ft. south of Jackson | Anytime |
|--------|------|----------------------------------|---------|

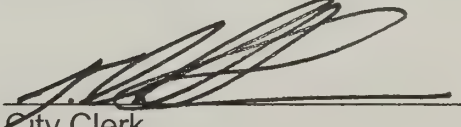


|       |      |                                          |                                   |
|-------|------|------------------------------------------|-----------------------------------|
| James | East | St. Joseph's Drive to James Mountain Rd. | Anytime                           |
| James | Both | Herkimer to St. James Place              | Anytime                           |
| John  | West | St. Joseph's Dr. to King                 | Mon. – Fri.”<br>7:00 am – 9:00 am |

6. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
7. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED and ENACTED** this 27<sup>th</sup> day of November, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk



Bill No. 337

THE CITY OF HAMILTON

BY-LAW NO. 02-337

To Amend  
Cemeteries By-law No. 8861  
Respecting:

REVISED TARIFF OF CHARGES

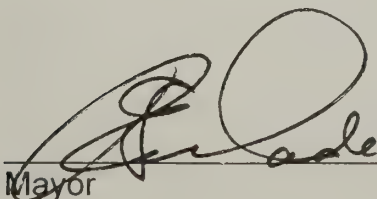
**WHEREAS** By-law No. 8861, passed on the 12<sup>th</sup> day of January 1960, in accordance with the Cemeteries Act, established a tariff of charges;

**AND WHEREAS** the Council of the Corporation of the City of Hamilton, in adopting Item 8 of Report 02--41 of the Committee of the Whole on November 26, 2002 directed that By-law No. 8861, as amended, be further amended to provide for an increase in the tariff of charges for 2003.

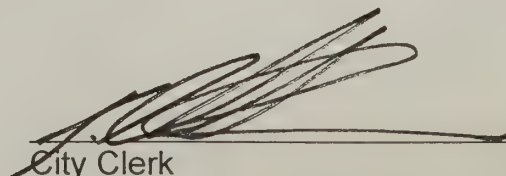
**NOW THEREFORE** the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) By-law No. 8861, as amended by By-laws No. 74-303, 76-187, 76-337, 77-292, 78-276, 79-319, 80-229, 81-219, 83-42, 83-323, 84-268, 86-11, 87-22, 88-40, 88-274, 89-363, 90-16, 90-344, 92-185, 93-019, 93-245, 95-048, 96-005, 96-206, 98-146 and By-law 01-168 is further amended by deleting Schedule "A-2001" and substituting in lieu thereof Schedule "A-2003", hereto annexed and forming part of this By-law.
- (b) In all other respects, By-law 8861, as amended is hereby confirmed unchanged.
2. The Manager of Cemeteries is hereby authorized and directed to make application to the Minister of Consumer and Commercial Relations, Cemeteries Branch, for approval of this By-law.

**PASSED** and enacted this 27<sup>th</sup> day of November, 2002



Mayor



City Clerk





**Mount Zion, Grove, Mountview,  
Glanbrook & Garden Lane**

## 40% of Grave Sales goes into Care & Maintenance



**City of Hamilton**  
**Tariff of Charges - 2003**

**Single Graves - Non Resident Rates**

Hamilton, Woodland, Eastlawn, Mt. Hamilton,  
 Bartonstone, Bartonville, Binkley, Burkholder  
 United, Smith, St. George's, St. Peter's,  
 Trinity Church, St. Creek Cemetery

Mount Zion, Grove, Mountview,  
 Glanbrook & Garden Lane

All other Rural Church, Pioneer and  
 Family Cemeteries

|                                                                                 | G.S.T.  | TOTAL      | G.S.T.  | TOTAL      | G.S.T.   | TOTAL    |
|---------------------------------------------------------------------------------|---------|------------|---------|------------|----------|----------|
| <b>Adult Single-In-A-Row Grave</b>                                              |         |            |         |            |          |          |
| \$809.00                                                                        | \$56.63 | \$865.63   |         |            |          |          |
| (Graves cannot be selected or purchased in advance, but are opened in sequence) |         |            |         |            |          |          |
| <b>Preferred Single</b>                                                         |         |            |         |            |          |          |
| \$1,379.00                                                                      | \$96.53 | \$1,475.53 | \$74.41 | \$1,137.41 | \$786.00 | \$841.02 |
| (Where grave may be selected and purchased in advance of need)                  |         |            |         |            |          |          |
| <b>Veteran's Grave</b>                                                          |         |            |         |            |          |          |
| \$769.00                                                                        | \$53.83 | \$822.83   |         |            |          |          |
| <b>Child (Single-in-a-Row)</b>                                                  |         |            |         |            |          |          |
| <b>Stillborn - Case up to 24"</b>                                               | \$6.93  | \$105.93   |         |            |          |          |
| <b>Child Gr - Case 25" - 60"</b>                                                | \$13.93 | \$212.93   |         |            |          |          |
| <b>Child Gr - Case 61: - 72"</b>                                                | \$16.24 | \$248.24   |         |            |          |          |

• Non-Residents - additional 25% on all property

Note: Personal Columbariums & Mausoleums are available on an individual basis

40% of Grave Sales goes into Care & Maintenance





**City of Hamilton  
Tariff of Charges - 2003**

| Lots                                              |                                                                                                                                                                        |            |                                                       |            |                                                       |            |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------------------------------------------------|------------|-------------------------------------------------------|------------|
|                                                   | Hamilton, Woodland, Eastlawn, Mt. Hamilton, Bartonstone, Bartonville, Binkley, Burkholder United, Smith, St. George's, St. Peter's, Trinity Church, St. Creek Cemetery |            | Mount Zion, Grove, Mountview, Glanbrook & Garden Lane |            | All other Rural Church, Pioneer and Family Cemeteries |            |
|                                                   | G.S.T.                                                                                                                                                                 | TOTAL      | G.S.T.                                                | TOTAL      | G.S.T.                                                | TOTAL      |
| <u>Two Grave Lots:</u>                            |                                                                                                                                                                        |            |                                                       |            |                                                       |            |
| Two Grave Lots                                    | \$2,856.00                                                                                                                                                             | \$3,055.92 | \$2,164.00                                            | \$2,315.48 | \$1,623.00                                            | \$1,736.61 |
| Eastlawn Cemetery - 6 ft burials                  | \$2,027.00                                                                                                                                                             | \$2,168.89 | \$1,570.00                                            | \$1,679.90 | \$1,190.00                                            | \$1,273.30 |
| Hamilton Cemetery                                 | \$3,521.00                                                                                                                                                             | \$3,767.47 |                                                       |            |                                                       |            |
| Woodland - Section 14 (2-graves)                  | \$4,096.00                                                                                                                                                             | \$4,382.72 |                                                       |            |                                                       |            |
| <u>Three-Grave Lots:</u>                          |                                                                                                                                                                        |            |                                                       |            |                                                       |            |
| Three-Grave Lots                                  | \$3,711.00                                                                                                                                                             | \$3,970.77 | \$2,895.00                                            | \$3,097.65 | \$2,164.00                                            | \$2,315.48 |
| Woodland - Section 14 (3-graves)                  | \$4,926.00                                                                                                                                                             | \$5,270.82 |                                                       |            |                                                       |            |
| <u>Four-Grave Lots:</u>                           |                                                                                                                                                                        |            |                                                       |            |                                                       |            |
| Four-Grave Lots                                   | \$4,862.00                                                                                                                                                             | \$5,202.34 | \$4,329.00                                            | \$4,632.03 |                                                       |            |
| Woodland - Section 15 (4-graves)                  | \$8,060.00                                                                                                                                                             | \$8,624.20 |                                                       |            |                                                       |            |
| *Non-Resident - additional 25% on all graves/lots |                                                                                                                                                                        |            |                                                       |            |                                                       |            |
| 40% of Grave Sales goes into Care & Maintenance   |                                                                                                                                                                        |            |                                                       |            |                                                       |            |





**City of Hamilton  
Tariff of Charges - 2003**

| Lots - Non Resident Rates                       |                                                                                                                                                                                 |                                                          |                                                          |            |          |            |
|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|----------------------------------------------------------|------------|----------|------------|
|                                                 | Hamilton, Woodland, Eastlawn, Mt. Hamilton,<br>Bartonstone, Bartonville, Binkley, Burkholder<br>United, Smith, St. George's, St. Peter's, Trinity<br>Church, St. Creek Cemetery | Mount Zion, Grove, Mountview,<br>Glanbrook & Garden Lane | All other Rural Church, Pioneer and<br>Family Cemeteries |            |          |            |
|                                                 | G.S.T.                                                                                                                                                                          | TOTAL                                                    | G.S.T.                                                   | TOTAL      | G.S.T.   | TOTAL      |
| <u>Two Grave Lots:</u>                          |                                                                                                                                                                                 |                                                          |                                                          |            |          |            |
| Two Grave Lots                                  | \$3,568.00                                                                                                                                                                      | \$3,817.76                                               | \$2,705.00                                               | \$2,894.35 | \$189.35 | \$2,171.03 |
| Eastlawn Cemetery - 6 ft burials                | \$2,533.00                                                                                                                                                                      | \$2,710.31                                               | \$1,962.00                                               | \$2,099.34 | \$137.34 | \$1,591.09 |
| Hamilton Cemetery                               | \$4,401.00                                                                                                                                                                      | \$4,709.07                                               |                                                          |            |          |            |
| Woodland - Section 14 (2-graves)                | \$5,120.00                                                                                                                                                                      | \$5,478.40                                               |                                                          |            |          |            |
| <u>Three-Grave Lots:</u>                        |                                                                                                                                                                                 |                                                          |                                                          |            |          |            |
| Three-Grave Lots                                | \$4,638.00                                                                                                                                                                      | \$4,962.66                                               | \$3,618.00                                               | \$3,871.26 | \$253.26 | \$2,894.35 |
| Woodland - Section 14 (3-graves)                | \$6,157.00                                                                                                                                                                      | \$6,587.99                                               |                                                          |            |          |            |
| <u>Four-Grave Lots:</u>                         |                                                                                                                                                                                 |                                                          |                                                          |            |          |            |
| Four-Grave Lots                                 | \$6,078.00                                                                                                                                                                      | \$6,503.46                                               | \$5,412.00                                               | \$5,790.84 | \$378.84 |            |
| Woodland - Section 15 (4-graves)                | \$10,075.00                                                                                                                                                                     | \$10,780.25                                              |                                                          |            |          |            |
| 40% of Grave Sales goes into Care & Maintenance |                                                                                                                                                                                 |                                                          |                                                          |            |          |            |

40% of Grave Sales goes into Care & Maintenance



City of Hamilton  
Tariff of Charges - 2003

| Cremation                                                             |                                                                                                                                                                        |          |                                                       |          |                                                       |          |
|-----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------------------------|----------|-------------------------------------------------------|----------|
|                                                                       | Hamilton, Woodland, Eastlawn, Mt. Hamilton, Bartonstone, Bartonville, Binkley, Burkholder United, Smith, St. George's, St. Peter's, Trinity Church, St. Creek Cemetery |          | Mount Zion, Grove, Mountview, Glanbrook & Garden Lane |          | All other Rural Church, Pioneer and Family Cemeteries |          |
|                                                                       | G.S.T.                                                                                                                                                                 | TOTAL    | G.S.T.                                                | TOTAL    | G.S.T.                                                | TOTAL    |
| <u>Cremation Graves:</u>                                              |                                                                                                                                                                        |          |                                                       |          |                                                       |          |
| Urn Garden Grave                                                      | \$483.00                                                                                                                                                               | \$33.81  | \$516.81                                              | \$421.00 | \$29.47                                               | \$450.47 |
| Urn Garden 3 (Woodland)                                               | \$788.00                                                                                                                                                               | \$55.16  | \$843.16                                              |          |                                                       |          |
| <u>Columbarium:</u>                                                   |                                                                                                                                                                        |          |                                                       |          |                                                       |          |
| Columbarium - Upper Level                                             | \$1,632.00                                                                                                                                                             | \$114.24 | \$1,746.24                                            | \$908.00 | \$63.56                                               | \$971.56 |
| Columbarium - Lower Level                                             | \$1,236.00                                                                                                                                                             | \$86.52  | \$1,322.52                                            |          |                                                       |          |
| Monument Columbarium                                                  | \$1,710.00                                                                                                                                                             | \$119.70 | \$1,829.70                                            |          |                                                       |          |
| Columbarium - Hamilton Cemetery                                       | \$2,200.00                                                                                                                                                             | \$154.00 | \$2,354.00                                            |          |                                                       |          |
| <u>Other:</u>                                                         |                                                                                                                                                                        |          |                                                       |          |                                                       |          |
| Cremorial                                                             | \$1,107.00                                                                                                                                                             | \$77.49  | \$1,184.49                                            |          |                                                       |          |
| • Non-Resident - additional 25% on lots/graves                        |                                                                                                                                                                        |          |                                                       |          |                                                       |          |
| 15% - of Columbarium & Cremorial Sales goes into Care and Maintenance |                                                                                                                                                                        |          |                                                       |          |                                                       |          |



**15% - of Columbarium & Cremorial Sales goes into Care and Maintenance**





## OPENING &amp; CLOSING

Adult Burials:

|             |          |         |          |
|-------------|----------|---------|----------|
| 6 ft. Adult | \$607.00 | \$42.49 | \$649.49 |
| 8 ft. Adult | \$785.00 | \$54.95 | \$839.95 |
| Mausoleum   | \$432.00 | \$30.24 | \$462.24 |

Children Burials:

|                              |          |         |          |
|------------------------------|----------|---------|----------|
| 6 ft. Child - Case up to 24" | \$82.00  | \$5.74  | \$87.74  |
| - Case 25" - 42"             | \$176.00 | \$12.32 | \$188.32 |
| - Case 43" - 60"             | \$256.00 | \$17.92 | \$273.92 |
| - Case 61" - 72"             | \$334.00 | \$23.38 | \$357.38 |

|                              |          |         |          |
|------------------------------|----------|---------|----------|
| 8 ft. Child - Case up to 60" | \$298.00 | \$20.86 | \$318.86 |
| - Case 61" - 72"             | \$450.00 | \$31.50 | \$481.50 |

Cremation Interments:

|                   |          |         |          |
|-------------------|----------|---------|----------|
| Urn Garden Graves | \$214.00 | \$14.98 | \$228.98 |
| Columbarium       | \$147.00 | \$10.29 | \$157.29 |
| Cremorial         | \$78.00  | \$5.46  | \$83.46  |

Overtime - Traditional Burials - \*Overtime - Cremation Interments\*

\* other than Saturdays of Scheduled Long Weekends

\* regular burial fees are to be charged plus overtime charges

TOTAL

\$649.49  
\$839.95  
\$462.24

G.S.T.

\$42.49  
\$54.95  
\$30.24

\$87.74  
\$188.32  
\$273.92  
\$357.38

\$318.86  
\$481.50

\$228.98  
\$157.29  
\$83.46

\$481.50  
\$240.75



| Lowering (Includes Opening, Closing, Lowering & Closing) |            |          |            |
|----------------------------------------------------------|------------|----------|------------|
| <u>Adult:</u>                                            |            |          |            |
| From 6 ft. to 8 ft. - Shell                              | \$2,711.00 | \$189.77 | \$2,900.77 |
| From 6 ft. to 8 ft. - Vault or Crypt                     | \$2,260.00 | \$158.20 | \$2,418.20 |
| <u>Child:</u>                                            |            |          |            |
| From 6 ft. to 8 ft. - Shell                              | \$1,358.00 | \$95.06  | \$1,453.06 |
| From 6 ft. to 8 ft. - Vault or Crypt                     | \$1,129.00 | \$79.03  | \$1,208.03 |
| REMOVAL                                                  |            |          |            |
| <u>Adult:</u>                                            |            |          |            |
| Adult - Shell                                            | \$2,420.00 | \$169.40 | \$2,589.40 |
| Adult - Concrete Vault or Crypt                          | \$1,977.00 | \$138.39 | \$2,115.39 |
| <u>Child:</u>                                            |            |          |            |
| Child - Shell                                            | \$837.00   | \$58.59  | \$895.59   |
| Child - Concrete Vault or Crypt                          | \$684.00   | \$47.88  | \$731.88   |
| <u>Cremation:</u>                                        |            |          |            |
|                                                          | \$214.00   | \$14.98  | \$228.98   |





**ADDITIONAL SERVICES**

| <u>CRYPTS:</u>                                                                        |          | <b>G.S.T.</b> | <b>TOTAL</b> |
|---------------------------------------------------------------------------------------|----------|---------------|--------------|
| Youth                                                                                 | \$366.00 | \$25.62       | \$391.62     |
| Social Services                                                                       | \$357.00 | \$24.99       | \$381.99     |
| Intermediate                                                                          | \$393.00 | \$27.51       | \$420.51     |
| Oversize                                                                              | \$417.00 | \$29.19       | \$446.19     |
| <u>FLOWER BEDS:</u>                                                                   |          |               |              |
| Supply, install & maintain flower bed -<br>(per grave - to a maximum of three graves) | \$143.00 | \$10.01       | \$153.01     |
| <u>Transfer of Lot Ownership:</u>                                                     | \$57.00  | \$3.99        | \$60.99      |
| <u>Tent:</u>                                                                          | \$189.00 | \$13.23       | \$202.23     |
| <u>Family Tree Research:</u> (per name)                                               | \$2.00   | \$0.14        | \$2.14       |

**ARTICLES**

|                                                                                     |          |         |            |
|-------------------------------------------------------------------------------------|----------|---------|------------|
| <u>Bronze Plaque</u> for Cremorial                                                  | \$179.00 | \$12.53 | \$191.53   |
| <u>Bronze Plaque</u> for Columbarium Niche                                          | \$401.00 | \$28.07 | \$429.07   |
| <u>Companion Vase (plastic) on Niche</u>                                            | \$78.00  | \$5.46  | \$83.46    |
| <u>Memorial Tree Planting</u> (12" x 10" stone;<br>6" x 8" Bronze Plaque, 3 Lines*) | \$510.00 | \$35.70 | \$545.70   |
| <u>Memorial Bench</u> (8"x5" Bronze Plaque, 3 Lines)                                | \$944.00 | \$66.08 | \$1,010.08 |
| <u>Temporary Marker</u>                                                             | \$50.00  | \$3.50  | \$53.50    |
| <u>Flower Pot Hanger</u>                                                            | \$21.00  | \$1.47  | \$22.47    |
| <u>Installation Fee (plaques and/or vases)</u>                                      | \$81.00  | \$5.67  | \$86.67    |
| <u>Vases - Individually Priced</u>                                                  |          |         |            |

**Note:** \* An extra fee will be added to plaque charge for Special Lettering





**CITY OF HAMILTON**

**BY-LAW NO 02-338**

**TO AMEND BY-LAW 01-084  
BEING A BY-LAW TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS  
FOR THE CITY OF HAMILTON**

**WHEREAS** Section 15(1) of the Police Services Act R.S.O. 1990, c.P.15, as amended, authorizes the council of any municipality to appoint one or more Municipal Law Enforcement Officers, who shall be peace officers for the purposes of enforcing the by-laws of the municipality;

**AND WHEREAS** Section 207(45) of the Municipal Act R.S.O. 1990, c.M.45, as amended, authorizes the council of any municipality to appoint certain officers or such officers and employees as may be necessary for the purposes of the corporation, or for carrying into effect any Act or Legislature or by-law of the Council, and for fixing their remuneration and prescribing their duties, and the security to be given for the performance of them;

**AND WHEREAS** Section 210(46) of the Municipal Act, as amended, provides that local municipalities may pass by-laws to authorize appointed officers to enter property to ascertain whether the by-law is obeyed and to enforce and carry into effect the by-law;

**AND WHEREAS** the Council of the City of Hamilton, on the 15th day of May, 2001, did pass and enact By-law No. 01-084, being a by-law to appoint Municipal Law Enforcement Officers for the City of Hamilton;

**AND WHEREAS** it is necessary to amend By-law No. 01-084;

**NOW, THEREFORE**, the Council of the City of Hamilton enacts as follows:

1. Schedule A of By-law No. 01-084 is hereby amended by adding thereto the following names:

"Marty Hazell  
Shaena McMullen  
James Gubbins  
Ellen Enriquez  
Maurice Edwards  
Sharla Sutherland

William Young  
Susan Reeder  
Michael Bain  
Philicia D'Ariano  
Shaun Stanley  
Dean Vandermealen



John McManus  
Art Dubois  
Fred Evans  
Peter Ilic  
Kashif Khan

Jim O'Donnell  
Dan Little  
Brian Concannon  
Les Kitson  
Christine Fullarton"

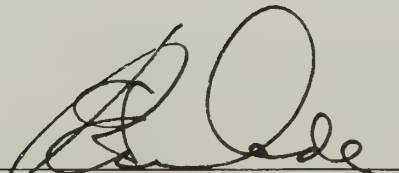
and by deleting therefrom the following names:

"Morris Edwards  
Paul Sertic  
Diane Buist  
David Lake  
Laurie Bizior  
Neil Brittan  
Elaine Theoret  
Judy Bailey  
George Thompson  
Candice Corbine-Salmon"

Charles Eke  
Craig Saunders  
Douglas Longboat  
Guruveer Sangha  
John Vollmer  
Wanita Flokstra  
George Babcock  
Mike Palango  
Brenda Dawson

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-084, including the Schedule thereto, is hereby confirmed unchanged.
3. This By-law shall come into force and effect on the date of its passing and enactment.

**PASSED AND ENACTED** this 27<sup>th</sup> day of November, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk



**CITY OF HAMILTON**

**BY-LAW NO. 02-339**

**TO APPOINT A TEMPORARY ACTING CLERK  
FOR THE CITY OF HAMILTON**

**WHEREAS** Subsection 73(1) of the Municipal Act, R.S.O. c. M.45, as amended, provides that Council may appoint a Clerk who shall perform the duties under the said Act, and such other duties as may be assigned by the Council;

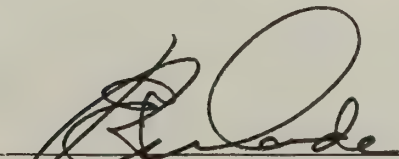
**AND WHEREAS** Subsection 73(3) of the said Act provides that Council may appoint a Temporary Acting Clerk who shall have all the powers and duties of the Clerk under the said Act and every other Act;

**AND WHEREAS** it is advisable to appoint a Temporary Acting Clerk, to ensure that the powers and duties of the Office of the Clerk may be exercised efficiently and effectively at all times.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That By-law No. 01-064 is amended by adding the following section after section 3:
  3. (a) Lisa Barroso is appointed as Temporary Acting Clerk in the Absence of Kevin C. Christenson, Darryl J. Lee and Rose Caterini, and shall have all the powers and duties of the Clerk, with respect only to the execution of documents relating to the conduct of operations of the City of Hamilton.
2. That By-law 01-232, passed on October 2, 2001, appointing Patricia Brown as Temporary Acting Clerk, is hereby repealed.
3. That this By-law comes into force on the date that it is enacted.

**PASSED and ENACTED** this 27<sup>th</sup> day of November, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk





Bill No. 340

THE CITY OF HAMILTON  
BY-LAW NO. 02-340  
TO INCORPORATE CITY LAND  
DESIGNATED AS PARTS 24, 25, 26 ON PLAN 62R-16175  
INTO SOUTHCOTE ROAD

**WHEREAS** the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Southcote Road within its limits;

**AND WHEREAS** the said land is owned by the City of Hamilton.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Southcote Road.

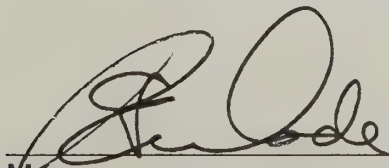
Parts 24 and 25 on Plan 62R-16175 being Part of Block 177 on Plan 62M-926.

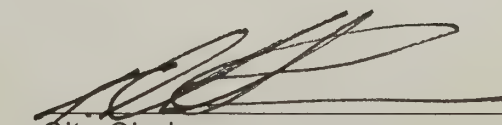
Part 26 on Plan 62R-16175 being Part of Block 176 on Plan 62M-926.

**City of Hamilton**

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED AND ENACTED this 27<sup>th</sup> day of November, 2002

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk



**Bill No. 341**

**THE CITY OF HAMILTON  
BY-LAW NO. 02-341  
TO INCORPORATE CITY LAND  
DESIGNATED AS LOT 11 ON PLAN 62R-16283  
INTO SIRENTE DRIVE**

**WHEREAS** the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

**AND WHEREAS** the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Sirente Drive within its limits;

**AND WHEREAS** the said land is owned by the City of Hamilton.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

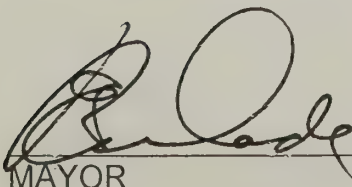
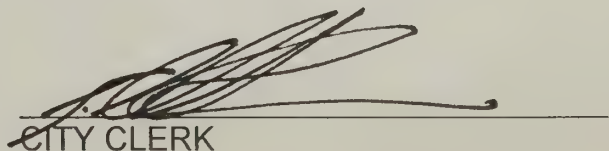
1. That the following land is hereby established and laid out as a public highway to form part of Sirente Drive.

**Part of Lot 11, Concession 7 in the Geographic Township of Barton, designated as Parts 1, 2, 3, 5 and 6 on Plan 62R-16283.**

**City of Hamilton**

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED AND ENACTED this 27<sup>th</sup> day of November, 2002

  
MAYOR  
CITY CLERK



Bill No. 342

City of Hamilton  
BY-LAW NO. 02- 342  
To Amend By-law No. 01-215  
TO REGULATE TRAFFIC

**WHEREAS** Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

**AND WHEREAS** Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

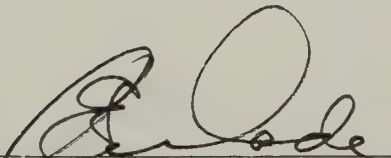
**AND WHEREAS** it is necessary to amend By-law No. 01-215;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

|           |                         |          |
|-----------|-------------------------|----------|
| "Dulgaren | Eastbound and Westbound | Eleanor  |
| Brenda    | Westbound               | Eleanor" |
2. Subject to the amendment made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 27<sup>th</sup> day of November 2002

  
MAYOR

  
CITY CLERK





**Bill No. 343**

**THE CITY OF HAMILTON  
BY-LAW 02- 343  
TO ALTER GUISE STREET  
BETWEEN BAY STREET / LEANDER DRIVE AND CATHARINE STREET**

**WHEREAS** the Council of the City of Hamilton (hereinafter referred to as the "City") is empowered under Section 11.4(3) of the City of Hamilton Act, 1999 (being Schedule C to the Fewer Municipal Politicians Act, R.S.O. 1999, Chapter C.14, as amended, to exercise any of the powers formerly conferred upon the Regional Municipality of Hamilton-Wentworth and the Corporation of the City of Hamilton in respect of the roads now included in the City road system;

**AND WHEREAS** the Council of the City of Hamilton is empowered under Section 297 of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, to alter, establish and layout any highway or part of a highway under its jurisdiction;

**AND WHEREAS** it is necessary to alter Guise Street as described herein;

**AND WHEREAS** the Council of the City of Hamilton at its meeting of August 14, 2002, authorized the alteration of Guise Street as described in Schedule "A" attached hereto;

**AND WHEREAS** Notice of this By-law has been published as required by Section 300 of the said Municipal Act;

**AND WHEREAS** the Council of the City of Hamilton, through its Hearings Sub-Committee, has heard all persons who applied to be heard, whether in objection to or in support of this By-law.

**NOW THEREFORE THE COUNCIL OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:**

1. That the alteration of Guise Street as described in Schedule "A" attached hereto be proceeded with.
2. That the Mayor and Clerk of The City of Hamilton are hereby authorized and directed to sign all documents and do all things necessary to implement the alteration of Guise Street as described in Schedule "A" attached hereto.
3. That Schedule "A" attached to this By-law is included in and shall be considered part of this By-law.



4. That this By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 27<sup>th</sup> day of November, 2002.

  
\_\_\_\_\_  
Mayor  
\_\_\_\_\_  
Clerk



**SCHEDULE "A"**

**TO**

**BY-LAW 02-343**

**DESCRIPTION OF WORKS TO BE UNDERTAKEN ON  
GUISE STREET BETWEEN BAY STREET / LEANDER DRIVE  
AND CATHARINE STREET**

To upgrade the street cross-section to City standard. The road alteration includes:

- full road reconstruction with new road surface that will accommodate the movement of motor vehicles and bicycles and maintain existing on-street parking on the south side;
- realignment of the intersection at Catharine Street to form a new 4-legged intersection with Dock Service Road;
- construction of both new and replacement sidewalk on the south side and new curb and gutter on both sides





**CITY OF HAMILTON**

**BY-LAW NO. 02-344**

**A By-law to Amend Regional Store Hours  
By-law R79-202, as amended**

**WHEREAS** subsection 47(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1990, c. R.12, makes the provisions of section 214 of the Municipal Act, R.S.O. 1990, c. M.45, applicable to the former Regional Corporation, with necessary modifications; and,

**WHEREAS** the Council of the former Regional Municipality of Hamilton-Wentworth on December 27, 1979, enacted By-law R79-202, to regulate the hours of closing of retail shops in the former Regional Area; and,

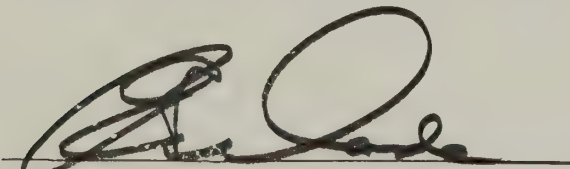
**WHEREAS** Section 11.6 of the City of Hamilton Act, 1999, S.O. 1999, c.25, Sch.D, as amended, permits the City of Hamilton constituted under that Act to exempt a shop from any provision of the said By-law for a special occasion as specified in the By-law for a period not exceeding two consecutive days, and for not more than two periods in any calendar year; and,

**WHEREAS** the Council of the City of Hamilton considers it to be in the public interest to permit members of the public to be able to shop for retail goods at times which are more convenient for them in the period prior to the Christmas holiday;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Regional Municipality of Hamilton-Wentworth By-law No. R79-202 is amended by repealing subsection 2(2) and substituting the following:
  - (2) Notwithstanding subsection (1), all classes of shops are not required to be closed until 12:00 o'clock in the forenoon of the day next following a Friday or a Saturday which falls within the period of thirty days prior to Christmas in each year.
2. This By-law comes into force on November 28, 2002.

**PASSED AND ENACTED** this 27<sup>th</sup> day of November, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk



THE CITY OF HAMILTON

BY-LAW NO. 02-345

To Confirm the Proceedings of City Council at its meeting held on November 27, 2002

THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:

1. The Action of City Council at its meeting held on the 27<sup>th</sup> day of November, 2002 in respect of each recommendation contained in:

Report 02-040 of the Committee of the Whole,  
Report 02-041 of the Committee of the Whole,  
Report 02-037 of the Hearings Sub-Committee,  
Report 02-038 of the Hearings Sub-Committee,  
Report 02-012 of the Grants Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 27<sup>th</sup> day of November, 2002

  
MAYOR  
CITY CLERK



City of Hamilton

BY-LAW No. 02-347

Respecting:

Removal of Part Lot Control  
Block 1 – Plan 62M-956, “Scenic South, Phase 3”

**WHEREAS** the Planning Act, (R.S.O. 1990, Chapter P.13 sec. 50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.





(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

**AND WHEREAS** the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

**AND WHEREAS** the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

**AND WHEREAS** as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

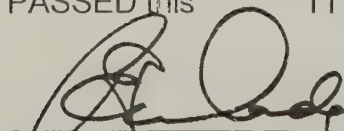
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of subdividing Block 1, 62M-956 to create six (6) freehold townhouse lots, shall not apply to the land within the portions of the registered plan of subdivision that are designated as follows:

Block 1, Plan 62M-956, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: December 1, 2004.

PASSED this 11<sup>th</sup> day of December 2002.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CITY CLERK



Bill No. 348

CITY OF HAMILTON

BY-LAW NO. 02-348

To Amend Zoning By-law No. 6593  
Respecting Lands Located at 171 Stone Church Road East

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

**AND WHEREAS** the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Section 1 of Report 02-037 of the Hearing Sub Committee at its meeting held on the 27<sup>th</sup> day of November, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
  - (a) by changing from "AA" (Agricultural) District to "C" – 'H' (Urban Protected Residential, Etc. - Holding) District,



**A By-law respecting Lands located at 171 Stone Church Road East**

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon,
  - 1) the owner or applicant submitting and receiving draft plan approval of a plan of subdivision to the satisfaction of the Director of Development, Planning and Development Department.
- (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "C" (Urban Protected Residential, Etc.) District provisions.
3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1479.
4. Sheet No. E-9C of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1479.
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002.

  
MAYOR

  
Acting CLERK







This is Schedule "A" to By-Law No. 02 - 348.....

Passed the 11th day of December, 2002.

*[Signature]*  
Clerk  
*[Signature]*  
Mayor

## Schedule "A"

Map Forming Part of  
By-Law No. 02- 348

to Amend By-Law No. 6593



Hamilton

Planning and Development Department

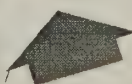
### Legend



#### Subject Property

Change in zoning from "AA" (Agricultural)  
District to "C"-H' (Urban Protected  
Residential, etc.- Holding) District

North



Scale

NOT TO SCALE

Date

December 05, 2002

Reference File No.

ZAR-02-67

Drawn By

NM



**Bill No. 349**

The City of Hamilton

BY-LAW NO. 02-349

To Adopt:

Official Plan Amendment No. 171 to the former City of Hamilton Official Plan;

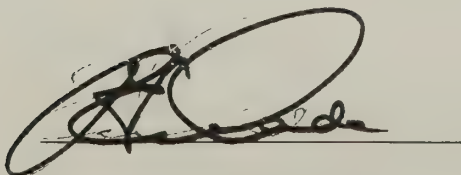
Respecting:

**LANDS LOCATED AT MUNICIPAL NO. 723 RYMAL ROAD WEST, WITHIN  
THE CARPENTER NEIGHBOURHOOD PLAN**

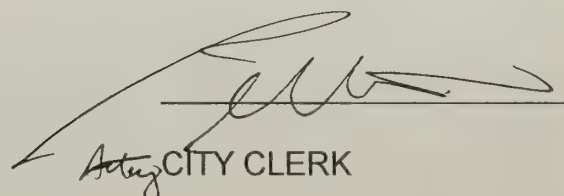
The Council of the City of Hamilton enacts as follows:

1. Amendment No. 171 to the Official Plan of the former City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

**PASSED** this        11<sup>th</sup>        day of        December        A.D. 2002



MAYOR

  
Acting CITY CLERK



## **Amendment No.171**

### **To the City of Hamilton Official Plan**

The following text constitutes Official Plan Amendment No. 171

#### **Purpose:**

The purpose of this Amendment is to amend "Special Policy Area 81" to permit medical related commercial uses and/or business offices within the existing heritage building.

#### **Location:**

The lands affected by this Amendment are the front portion of the lands known municipally as 723 Rymal Road West, with an area of approximately 0.7 ha, within the Carpenter Neighbourhood.

#### **Basis:**

The basis for permitting the medical related commercial uses, business/professional offices in addition to the restaurant use currently permitted (OPA 150), are as follows:

1. The subject lands are located on a major arterial road, at the periphery of the neighbourhood.
2. The community and residential care access centre would provide residential short term and care facilities and medical services, including patient care, assessment and uptake, to the communities of the Hamilton West Mountain, Ancaster and Glanbrook.
3. The proposal includes the adaptive re-use of a heritage dwelling upon the subject lands as a component of the development.

#### **Actual Changes:**

1. That Policy A.2.9.3.76 be modified by adding the words "... medical related commercial uses, and/or business or professional offices ...." between "restaurant" and "within" in the first line of the clause i) a) so that the whole policy reads as follows:





"Notwithstanding the permitted uses set out in Subsection A.2.1 – Residential Uses, for the front portion of the lands known municipally as 723 Rymal Road West, shown on Schedule "B" as SPECIAL POLICY AREA 81, a community/residential care access centre including limited associated commercial uses will also be permitted provided that:

- i) The commercial uses will be restricted to:
  - a) A restaurant, **medical related commercial uses, and/or business and professional offices** within the existing heritage dwelling only. There will be no drive through component and the restaurant will not consist entirely of a take out space.
  - b) Medical related commercial and medical offices, within the community and residential care access centre, having a maximum floor area of 1350 m<sup>2</sup>.
- ii) The external appearance and character of the existing heritage dwelling will be maintained."

**Implementation:**

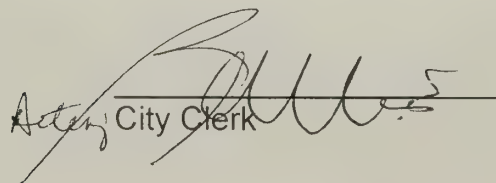
A Zoning By-Law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 02-349 passed on the 11<sup>th</sup> day of December, 2002.

**The City of Hamilton**



Mayor



Acting City Clerk



**CITY OF HAMILTON**

**BY-LAW NO. 02-350**

**To Amend Zoning By-law No. 06593, as Amended  
by By-law Nos. 99-058 and 00-019  
Respecting Lands Located at 723 Rymal Road West**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

**AND WHEREAS** the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Section 1 of Report 01-014 of the Hearings Sub Committee at its meeting held on the 5 day of June, 2001, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No.171 proposed by the Corporation of the City of Hamilton as By-law No. 02-349, but not yet approved in accordance with the provisions of the Planning Act.



**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The "DE-3" (Multiple Dwellings) District regulations as set out under Section 10C of Zoning By-law No. 6593, as amended by By-law No. 99-058, applicable to the subject lands, be further modified to include the following variances as special provisions:

- (a) That Subsection 3.(a)(ii) of Zoning By-law No. 99-058 is hereby amended by adding the phrase "medical related commercial uses or medical and business or professional office uses" after the word "restaurant" such that subsection 3.(a)(ii) shall read as follows:

"3.(a)(ii) a restaurant, medical related commercial uses or medical and business or professional office uses provided that:

- a) it is located within the existing dwelling at the time of passage of the by-law; and,
    - b) the external appearance and character of the dwelling shall be preserved and maintained; and,
    - c) a drive-thru restaurant or take-out restaurant shall not be permitted; and,
    - d) it is accessory to a "Community and Residential Care Access Centre".

- (b) That Subsection 3.(g)(ii) of Zoning By-law No. 99-058 is hereby deleted in its entirety and replaced with the following:

"3.(g) For the restaurant, medical related commercial uses or medical and business or professional office uses, an unlighted ground sign having an area of not more than 1.2 square metres and located adjacent to the existing building shall be permitted."

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";

2. In all other respects, By-law No. 99-058, as amended by By-law No. 00-19, is hereby confirmed, unchanged.

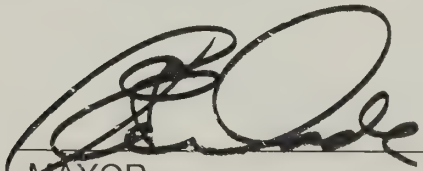


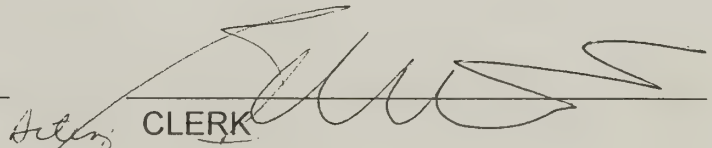


**A By-law respecting Lands Located at 723 Rymal Road West**

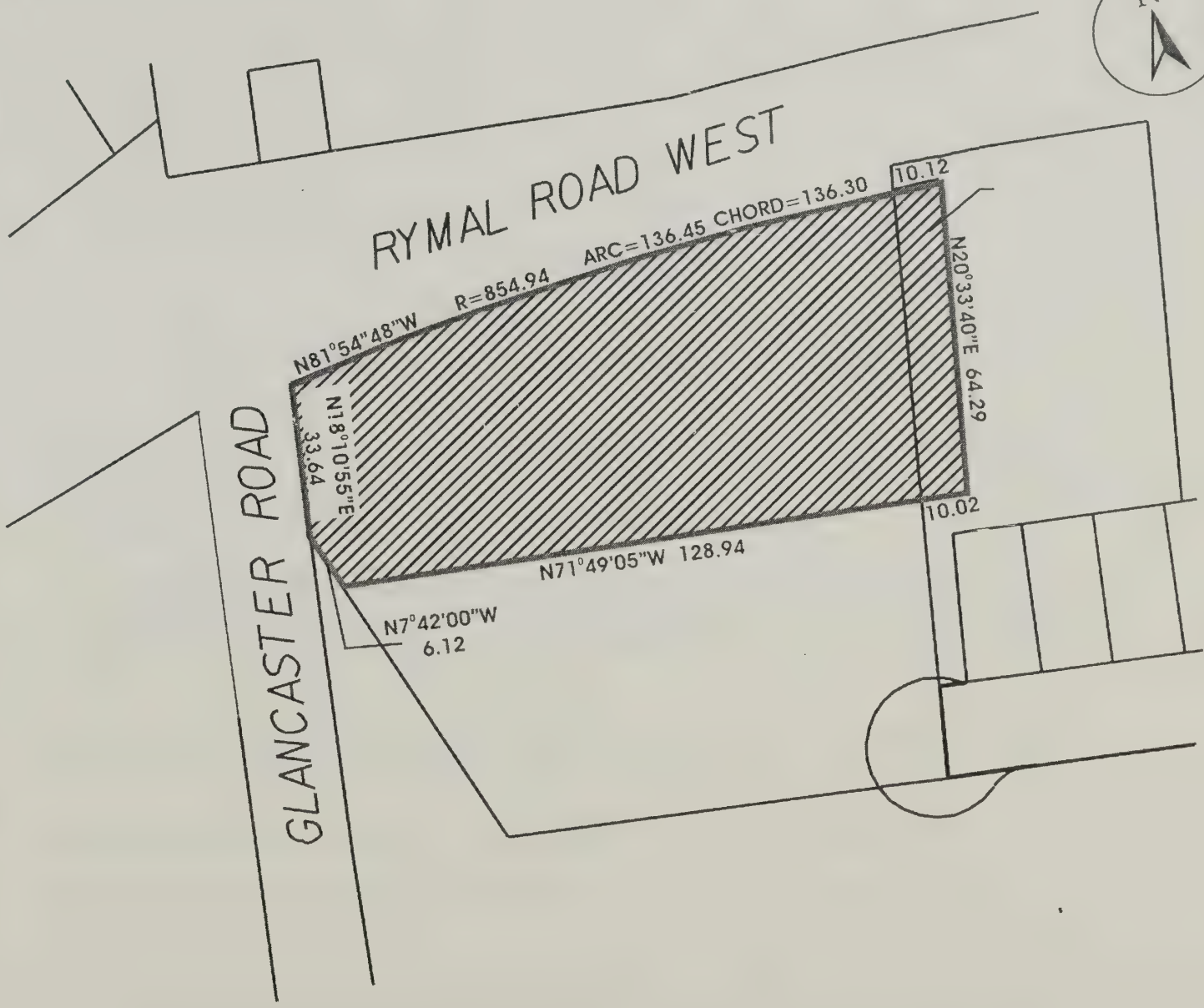
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirements referred to in section 1 of this by-law and the special requirements contained in By-law No. 99-058.
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1421b.
5. Sheet No. W-37E of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1421b.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002.

  
MAYOR

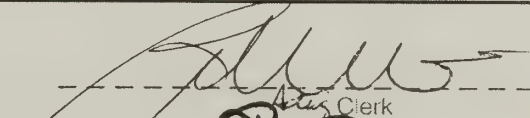
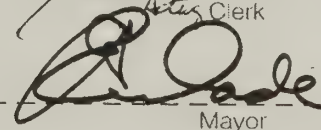
  
CLERK





This is Schedule "A" to By-Law No. 02 - 350

Passed the 11th day of December, 2002.

  
City Clerk  
  
Mayor

## Schedule "A"

Map Forming Part of  
By-Law No. 02- 350  
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

### Legend



For further modification to the "DE-3"  
(Multiple Dwellings) District



Scale  
**NOT TO SCALE**

Date  
**December 04, 2002**

Reference File No  
**ZAR-01-16**

Drawn By  
**NM**



**CITY OF HAMILTON**

**BY-LAW NO. 02-351**

**To Amend By-law No. 01-218, as amended,  
Being a By-law To Regulate On-Street Parking**

**WHEREAS** Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

**AND WHEREAS** Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

**AND WHEREAS** it is necessary to amend By-law No. 01-218, as amended;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

|         |       |                                                   |      |         |         |
|---------|-------|---------------------------------------------------|------|---------|---------|
| "Barton | South | from 24.5m west of<br>MacNab to 10.3m<br>westerly | 1 hr | Anytime | Anyday" |
|---------|-------|---------------------------------------------------|------|---------|---------|

and by deleting from Section "E" thereof the following item, namely:

|         |       |                                                |      |         |         |
|---------|-------|------------------------------------------------|------|---------|---------|
| "Barton | South | from 24.5m west of<br>Barton to 10.3m westerly | 1 hr | Anytime | Anyday" |
|---------|-------|------------------------------------------------|------|---------|---------|

and by adding to Section "F" thereof the following item, namely:

|            |       |                                       |      |         |         |
|------------|-------|---------------------------------------|------|---------|---------|
| "Shadyglen | North | Hillcroft Drive to<br>Hampshire Place | 3 hr | Anytime | Anyday" |
|------------|-------|---------------------------------------|------|---------|---------|

and by deleting from Section "F" thereof the following item, namely:





"Shadyglen North Hillcroft Drive to 3 hr Anytime Anyday"

2. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Imperial South Sherman to 71m easterly Anytime

Imperial South from 171m east of Sherman to east end Anytime

Lavina South from 134.5m west of Magnolia to 16.8m westerly Anytime

Main North 36m west of Wentworth to 9.8m westerly Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Caledon East Lotus to 910 ft. south Anytime

East 44<sup>th</sup> East Kerr to 105 feet north Anytime

Imperial South Sherman to east end Anytime

Main North 36m west of Wentworth to 9.8 westerly Anytime

Roxborough North From Frederick to 130 ft. westerly 7 am – 6 pm  
Mon – Sat

Roxborough South Graham to 75 feet easterly 8 am – 4 pm"  
Mon - Fri

3. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Allan South from 61m east of Harmony to 5.3m easterly Anytime

Strathearne West from 149.1m south of Barton to 7.3m southerly Anytime"

and by deleting from Section "E" thereof the following items, namely:

"Allan East from 61m east of Harmony to 5.3m easterly Anytime



Stirton East from 60.7m north of King to 6.7m northerly Anytime"

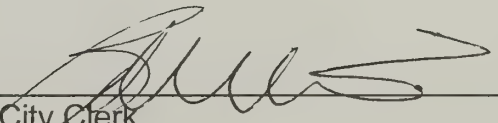
4. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "G" thereof the following item, namely:

"James East St. Joseph's Drive to James Mon. – Fri."  
Mountain Road 7:00 am – 9:00 am

5. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
6. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Acting City Clerk



## CITY OF HAMILTON

### BY-LAW NO. 02-352

#### TO AMEND BY-LAW 01-300 RESPECTING THE PROCEDURAL BY-LAW

**WHEREAS** the Council of the City of Hamilton enacted By-law 01-300 being a By-law to adopt rules for procedures of Council and Committees thereof, on December 11, 2001, pursuant to section 55, of the Ontario Municipal Act, R.S.O. 1990, c. M.45, as amended;

**AND WHEREAS** the Council of the City of Hamilton has determined that it is necessary to amend certain provisions of the By-law, in order to provide for efficient conduct of the proceedings of the Council and its Committees;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. That Section 1 of the Procedural By-law, being By-law 01-300, enacted by the City of Hamilton on December 11, 2001, is amended by adding the following definition:

1.1 (cc) **Board of Health** means the Council of the City of Hamilton (as defined by the City of Hamilton Act, 1999, Sec. 11)

Hereinafter, the new definition above shall be listed in alphabetical order in Section 1.1 and the definitions section shall be renumbered from 1.1 (a) to 1.1 (cc).

2. Section 4 of said by-law is amended by deleting subsection 4.12 (c) in its entirety and replacing it with the following in lieu thereof:

4.12 (c) A proposed or pending acquisition or disposition of land for municipal or local boards purposes;





3. Section 5 entitled Proceedings of Committee of the Whole of said by-law is amended by adding subsection 5.6 and 5.7 as follows:

5.6 Council has all powers rights and duties of the Board of Health under the Health Protection and Promotions Act. R.S.O., 1990. Council, as the Board of Health, shall adhere to all legislated requirements of the Health Protection and Promotions Act. The conduct of the Board of Health meetings shall be in the same form and procedure as the Committee of the Whole meeting of Council.

5.7 Council shall, as the Shareholder of the Hamilton Utilities Corporation, at an in camera meeting of Council, consider candidates for the Board, as proposed by the Nominating Committee, and for the appointment of the auditors of the Corporation. Council shall, by resolution, appoint the necessary members of the Board and appoint the auditors for the Hamilton Utilities Corporation and complete such other business as would normally be completed at an annual meeting of shareholders under the Ontario Business Corporations Act. Within six (6) months after the end of each fiscal year of the Hamilton Utilities Corporation, the Board shall report to a meeting of Council and provide the audited financial statements of the Corporation for the last completed fiscal year and any such information concerning the Corporation and its Subsidiaries as is appropriate.

4. Section 11.2 of said by-law is amended by deleting subsection (d) and (e) in its entirety and replacing it with the following in lieu thereof:

11.2 (d) Consent Items  
(e) Staff Presentations

5. Section 12 of said by-law is amended by deleting subsection 12.2 and 12.3 in their entirety and replacing them with the following in lieu thereof:

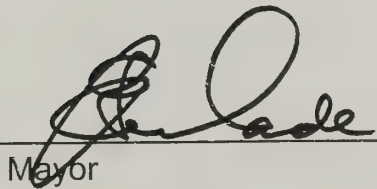
12.2 Before speaking to a question or motion, a Member shall be recognized by the Mayor and be placed on the speakers list.

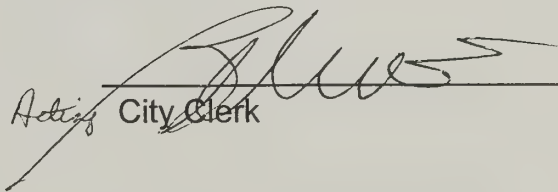
Hereinafter, Subsections 12.4 to 12.9 shall be renumbered 12.3 to 12.8 to account for deleted item 12.3.



6. Section 13.6 of said by-law is amended but adding the following subsection:  
13.6 (b) No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.
7. By-law R89-010 of the former Region of Hamilton-Wentworth entitled "A code of Conduct for Members of Council of the Regional Municipality of Hamilton-Wentworth" is hereby repealed.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Acting City Clerk



CITY OF HAMILTON

BY-LAW NO. 02-353

**Amalgamation of Participating Employer  
To the City of Hamilton**

A By-law to amend By-Law Number 02-026 to authorize participation in the Ontario Municipal Employees Retirement System (OMERS).

**WHEREAS** it is deemed expedient to amend By-Law Number 02-026 with respect to the amalgamation with the City of Hamilton in OMERS.

**NOW THEREFORE** the Council of the City of Hamilton (the Employer) enacts as follows:

1. That the City Of Hamilton hereby elects agrees to accept the employees of the **Hamilton Housing Corporation** into their OMERS Group and elects to participate as a single employer under the OMERS Act, R.S.O. 1990, Chapter 0.29 and Regulation 890 as amended thereunder.
2. Every employee of the City of Hamilton who, on December 31, 2001 was employed by the:

Hamilton Housing Corporation (Group No. 249049)

and who was or was entitled to become a member of OMERS on January 1, 2002 shall continue such membership or membership entitlement from January 1, 2002 while employed by the City of Hamilton.

3. Every person who becomes an employee of the City of Hamilton on or after the effective date, if such person is employed on a continuous full-time basis, shall as a condition of employment become a member of OMERS, or if such person is already a member, resume contributions to OMERS on the date so employed.
4. The General Manager of Finance and Corporate Services of the City of Hamilton is hereby authorized to deduct from the contributory earnings of each employee who is a member of OMERS, the contributions required to be made by the member, and to remit such contributions together with the amounts required under the *OMERS Act* to be paid by the City of Hamilton to the OMERS Fund.





5. The General Manager of Finance and Corporate Services is hereby authorized to execute all necessary documents and to do all such things as are necessary to carry out the intent of this By-law, in accordance with Section 6 of the OMERS Regulation.

This By-law shall come into force and take effect as of January 1, 2002.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
Acting CITY CLERK



BILL NO. 354

CITY OF HAMILTON

BY-LAW NO. 02-354

BEING A BY-LAW UNDER SUBSECTION 255(2) OF THE MUNICIPAL ACT  
RESPECTING CONTINUATION OF ONE-THIRD TAX FREE BENEFIT

**WHEREAS** subsection 255 (1) of the Municipal Act, R.S.O. 1990, c. M.45, as amended, provides that one-third of the remuneration paid to the elected members of councils and their local boards shall be considered as expenses incident to the discharge of their duties as members of council or local board; and

**WHEREAS** subsection 255 (2) of the Municipal Act, R.S.O. 1990, c. M.45, as amended, provides that the provisions of subsection 255 (1) shall only continue to apply to members of council or its local boards after January 1, 2003 if the municipality passes a resolution before January 1, 2003 stating its intention that the provisions of subsection 255 (1) shall continue to apply to elected members of council and its local board; and

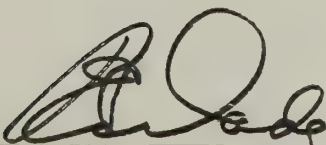
**WHEREAS** the Council of the City of Hamilton hereby deems it desirable to continue the provisions of subsection 255 (1) of the Municipal Act beyond January 1, 2003

**NOW THEREFORE** be it resolved that:

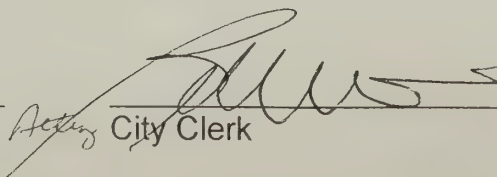
It is the intention of the Council of the City of Hamilton that the provision of subsection 255(1) continue to apply to the elected members of this council and its local boards on and after January 1, 2003.

This resolution shall come into force and take effect as of January 1, 2003.

**PASSED** and **ENACTED** this 11<sup>th</sup> day of December, 2002.



Mayor



Acting City Clerk



Bill No. 355

City of Hamilton

BY-LAW No. 02-355

Respecting:

REMOVAL OF PART LOT CONTROL

WITHIN A PORTION OF  
"MEADOWLANDS PLACE", — PLAN 62M-855

**WHEREAS** the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.





(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

**AND WHEREAS** the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

**AND WHEREAS** the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the Town of Dundas;

**AND WHEREAS** the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

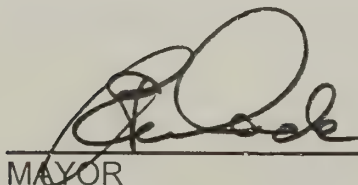
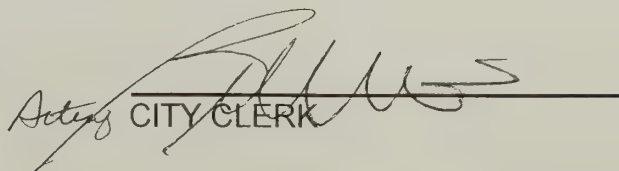
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of permitting the sale of the following land into seven (7) residential parcels for their development as street townhouse residential lots, shall not apply to lands within the portions of the registered plan of subdivision that are designated as follows:

Block 5, Plan 62M-855, in the Former Town of Ancaster

2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.
3. This By-law shall cease, expire and be of no further effect on December 11th, 2003.

PASSED this 11<sup>th</sup> day of December, 2002.

  
MAYOR  
CITY CLERK

Maple Crest Homes  
PLC-02-19



Bill No. 356

CITY OF HAMILTON  
BY-LAW NO. 02-356  
To Amend By-law No. 01-215  
Being a By-law To Regulate Traffic

**WHEREAS** Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

**AND WHEREAS** Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** it is necessary to amend By-law No. 01-215;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 4 (Yield Signs) of By-law No. 01-215, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:  
"Glencairn                                      Northbound                                      Central"
2. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:  
"Glencairn                                      Northbound                                      Central"
3. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002

MAYOR

Acting CITY CLERK



Authority: Item 2, Hearings Sub-Committee  
Report: 02-025 (PD02112)  
CM: July 10, 2002

**Bill No. 357**

**CITY OF HAMILTON**

**BY-LAW NO. 02-357**

To Adopt:

Official Plan Amendment No. 10 to the former Regional Municipality of Hamilton-Wentworth Official Plan;

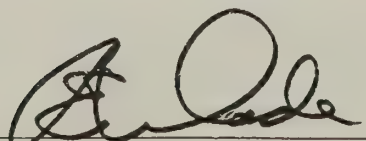
Respecting:

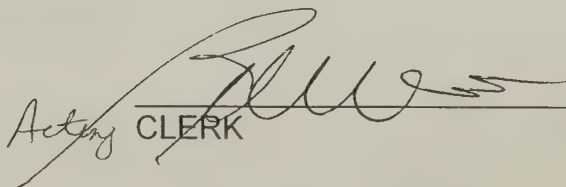
**1853 and 1861 Highway No. 6**

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Amendment No. 10 to the Official Plan of the former Regional Municipality of Hamilton-Wentworth Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

**PASSED AND ENACTED** this 11<sup>th</sup> day of December, 2002.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
Acting CLERK





**Amendment No. 10**

**to the**

**Official Plan of the Former Region of Hamilton-Wentworth Official Plan**

The following text and Map No. 1, Regional Development Pattern, attached hereto constitutes Regional Official Plan Amendment No. 10.

**Purpose:**

The purpose of the Amendment is to:

1. Identify the subject land as Special Policy Area 4 on Map No. 1, Regional Development Pattern, of the Official Plan; and
2. To establish Special Policy Area 4 to permit motor vehicle dealerships and motor vehicle repair shops on individual private services/holding tanks.

**Location:**

The lands affected by this Amendment are located on the east side of Highway No. 6, 1853 and 1861 Highway No. 6 in the former Township of Glanbrook.

**Basis:**

The intent of the Amendment is to permit motor vehicle dealerships and motor vehicle repair shops. The basis for permitting the proposal is as follows:

- The proposed uses are compatible with uses permitted in the "Airport Business Park"; and
- The development can be serviced in an environmentally appropriate and adequate manner.

**Actual Change:**

- a) Map No. 1, Regional Development Pattern, of the Official Plan be revised by adding "Special Policy Area 4", as shown on the attached Map No. 1 of this Amendment.



- b) That Subsection C 3.1.4, Airport Business Park, be amended by adding Subsection C 3.1.4.5 as follows:

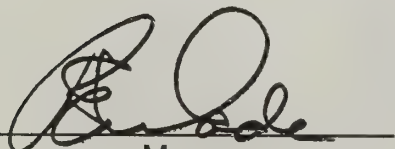
"C 3.1.4.5 Further to Subsection 3.1.4.1, on the lands known municipally as 1853 and 1861 Highway No. 6, as identified as Special Policy Area 4 on Map No. 1, motor vehicle dealerships and motor vehicle repair shops are permitted uses."

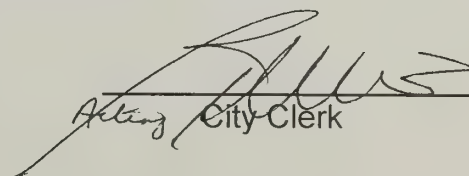
**Implementation:**

A Local Official Plan Amendment, implementing Zoning By-law Amendment to the former Township of Glanbrook documents and Site Plan Agreement will give effect to this Amendment.

This is Schedule "1" to By-law No. 02-357 passed on the 11<sup>th</sup> day of December, 2002.

**The  
City of Hamilton**

  
Mayor

  
Acting City Clerk







THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH  
Regional Environment Department

- | URBAN AREAS                                                                           |                     | RURAL AREAS                                                                           |                   | OTHER                                                                                 |                                |
|---------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------------------|-------------------|---------------------------------------------------------------------------------------|--------------------------------|
|  | Urban Area Boundary |  | Regional Centre   |  | Parkway Belt West Policy Areas |
|  | Urban               |  | Mixed-use Centre  |  | Special Policy Areas           |
|  | Business Parks      |  | Rural Settlements |  | Rural Area                     |
|                                                                                       |                     |  |                   |  | Airport                        |
|                                                                                       |                     |                                                                                       |                   |    | Municipal Boundary             |
|                                                                                       |                     |                                                                                       |                   |    | Future Roadway                 |





**Map 1**  
**Amendment No. 10**  
 to the  
 Official Plan  
 for the former Region  
 of Hamilton-Wentworth

**LEGEND**  
 Special Policy Area 4 (SPA4)

DATE: 2007  
 MODIFIED BY: [illegible]  
 APPROVED BY: [illegible]

MAP No.1



**URBAN AREAS**

- Urban Area Boundary
- Urban
- Business Parks
- Regional Centre
- Mixed-use Centre
- High Density Mixed-use Corridors

**RURAL AREAS**

- Rural Area
- Rural Settlements

**OTHER**

- Parkway Belt West Policy Areas
- Special Policy Areas
- Airport

- Future Roadway
- Municipal Boundary

**REGIONAL DEVELOPMENT  
 PATTERN**



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH  
 Regional Environment Department



Authority: Item 2, Hearings Sub-Committee  
Report: 02-025 (PD02112)  
CM: July 10, 2002

**Bill No. 358**

**CITY OF HAMILTON**

**BY-LAW NO. 02-358**

To Adopt:

Official Plan Amendment No. 37 to the former Township of Glanbrook Official Plan;

Respecting:

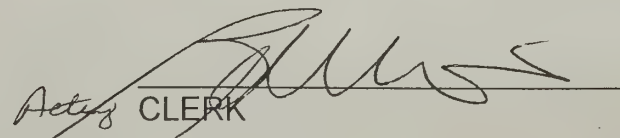
**1853 and 1861 Highway No. 6**

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Amendment No. 37 to the Official Plan of the former Township of Glanbrook Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

**PASSED AND ENACTED** this 11<sup>th</sup> day of December, 2002.

  
MAYOR

  
Acting CLERK



**Amendment No. 37**

**to the**

**Official Plan of the Former Township of Glanbrook**

The following text constitutes Official Plan Amendment No. 37.

**Purpose:**

The purpose of the Amendment is to establish a site specific policy to permit motor vehicle dealerships and motor vehicle repair shops with individual private services/holding tanks.

**Location:**

The lands affected by this Amendment are located on the east side of Highway No. 6, municipally known as 1853 and 1861 Highway No. 6 in the former Township of Glanbrook.

**Basis:**

The intent of the Amendment is to permit motor vehicle dealerships and motor vehicle repair shops. The basis for permitting the proposal is as follows:

- The proposed uses are compatible with uses permitted in the "Airport-Related Commercial" designation; and
- The development can be serviced in an environmentally appropriate and adequate manner.

**Actual Change:**

1. That Schedule "A" – Land Use Plan of the former Township of Glanbrook Official Plan be revised by identifying the subject lands as subject to OPA No. 37, and that the table entitled "Amendments" on Schedule "A" be amended to include OPA No. 37, the Final Approval Date of this OPA and Specific Policy Reference B.2.4.14, as shown on the attached Schedule "A" of this Amendment.





2. That Section B.2.4, Airport-Related Commercial, be amended by adding Subsection B.2.4.14 as follows:

"B.2.4.14     Lands located on the east side of Highway No. 6 south of Alderlea Avenue known municipally as 1853 and 1861 Highway No. 6.

Further to Subsection B.2.4.1 on the lands known municipally as 1853 and 1861 Highway No. 6, motor vehicle dealerships and motor vehicle repair shops are permitted uses.

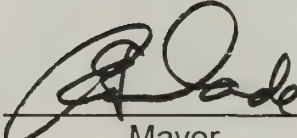
Notwithstanding Subsection 2.4.6, any proposed motor vehicle dealerships and motor vehicle repair shops may proceed on the basis of appropriate private sewage systems and storm drainage systems to the satisfaction of the municipality, until such time as municipal sanitary sewer services and storm drainage systems are available."

**Implementation:**

An implementing Zoning By-Law Amendment and Site Plan Agreement will give effect to this Amendment.

This is Schedule 1 to By-law No. 02-358 passed on the 11<sup>th</sup> day of December, 2002.

**The  
City of Hamilton**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Acting City Clerk



# OFFICIAL PLAN FOR THE TOWNSHIP OF GLANBROOK

## SCHEDULE A LAND USE PLAN

### LEGEND

|  |                                          |
|--|------------------------------------------|
|  | RURAL AREA                               |
|  | AGRICULTURAL                             |
|  | WOODBURN RURAL SETTLEMENT AREA           |
|  | RURAL INDUSTRIAL - BUSINESS PARK         |
|  | RURAL INDUSTRIAL                         |
|  | INSTITUTIONAL                            |
|  | PUBLIC INDUSTRIAL                        |
|  | OPEN SPACE AND CONSERVATION              |
|  | SPECIAL POLICY AREA 1                    |
|  | URBAN AREA                               |
|  | RESIDENTIAL                              |
|  | GENERAL COMMERCIAL                       |
|  | DINBROOK VILLAGE                         |
|  | DINBROOK COMMUNITY CORE                  |
|  | AIRPORT RELATED COMMERCIAL               |
|  | AIRPORT                                  |
|  | AIRPORT INDUSTRIAL-BUSINESS PARK         |
|  | NORTH GLANBROOK INDUSTRIAL-BUSINESS PARK |

DATE NOVEMBER 2002

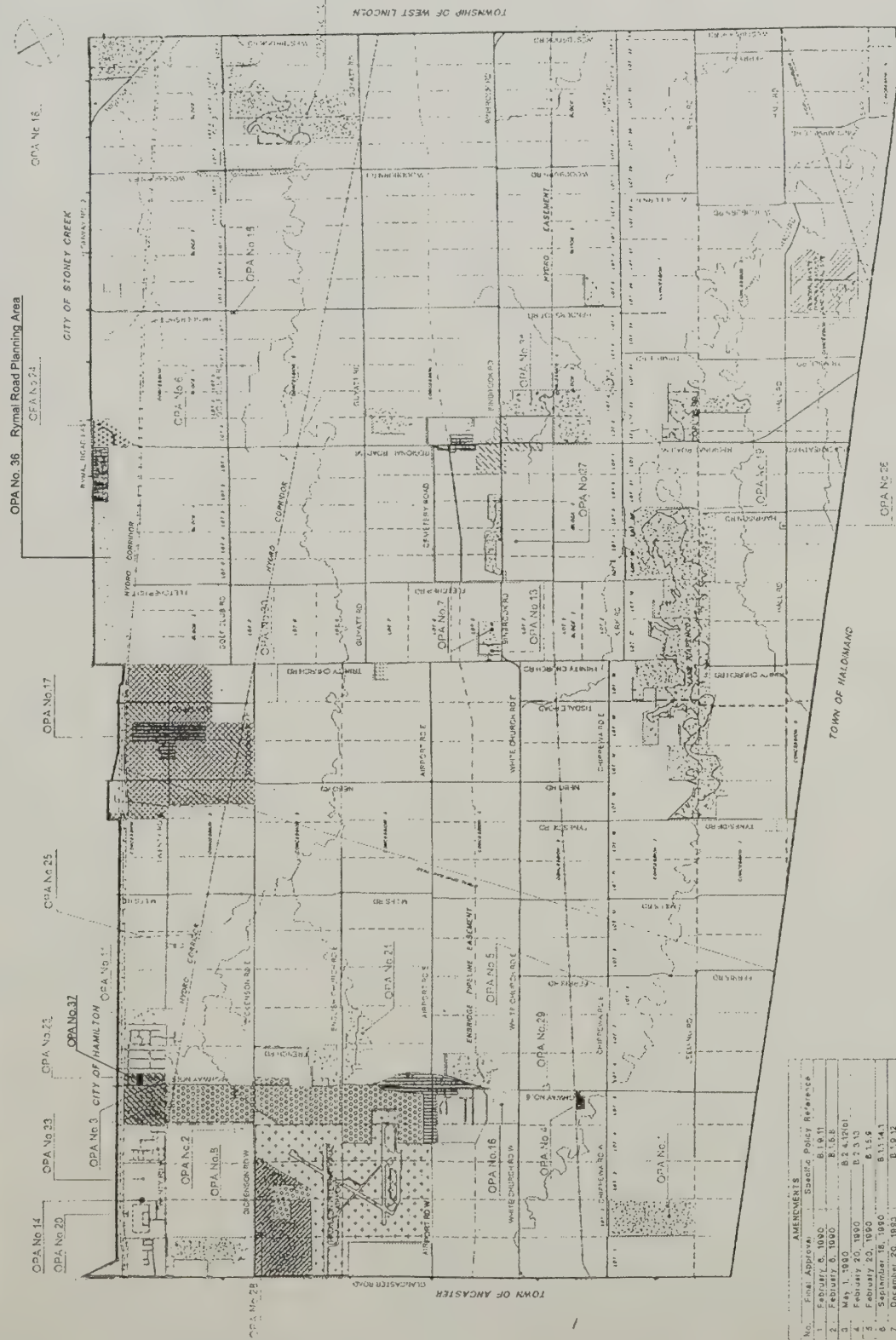
SCALE 1" = 1/2"

DATE NOVEMBER 2002

SCALE 1" = 1/2"

DATE NOVEMBER 2002

SCALE 1" = 1/2"



**Schedule A**  
Amendment No. 37  
to the Official Plan  
for the  
Former township of Glanbrook

Legend  
Lands subject to OPA No. 37 and  
Specific Policy Reference B.2.4.14

Date  
Dec. 2002

Revised By  
Ivy MacIntyre

Reference File No.  
OPA 37 (G)

| No. | Final Approval    | Specific Policy Reference                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 34  | March 6, 2001     | G.1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 35  | May 25, 2002      | B.1.1.4.1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 36  | March 20, 2002    | B.2.4.14, B.2.4.15, B.2.4.16, B.2.4.17, B.2.4.18, B.2.4.19, B.2.4.20, B.2.4.21, B.2.4.22, B.2.4.23, B.2.4.24, B.2.4.25, B.2.4.26, B.2.4.27, B.2.4.28, B.2.4.29, B.2.4.30, B.2.4.31, B.2.4.32, B.2.4.33, B.2.4.34, B.2.4.35, B.2.4.36, B.2.4.37, B.2.4.38, B.2.4.39, B.2.4.40, B.2.4.41, B.2.4.42, B.2.4.43, B.2.4.44, B.2.4.45, B.2.4.46, B.2.4.47, B.2.4.48, B.2.4.49, B.2.4.50, B.2.4.51, B.2.4.52, B.2.4.53, B.2.4.54, B.2.4.55, B.2.4.56, B.2.4.57, B.2.4.58, B.2.4.59, B.2.4.60, B.2.4.61, B.2.4.62, B.2.4.63, B.2.4.64, B.2.4.65, B.2.4.66, B.2.4.67, B.2.4.68, B.2.4.69, B.2.4.70, B.2.4.71, B.2.4.72, B.2.4.73, B.2.4.74, B.2.4.75, B.2.4.76, B.2.4.77, B.2.4.78, B.2.4.79, B.2.4.80, B.2.4.81, B.2.4.82, B.2.4.83, B.2.4.84, B.2.4.85, B.2.4.86, B.2.4.87, B.2.4.88, B.2.4.89, B.2.4.90, B.2.4.91, B.2.4.92, B.2.4.93, B.2.4.94, B.2.4.95, B.2.4.96, B.2.4.97, B.2.4.98, B.2.4.99, B.2.4.100 |
| 37  | December 11, 2002 | B.2.4.14                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

| No. | Final Approval     | Specific Policy Reference |
|-----|--------------------|---------------------------|
| 1   | February 6, 1990   | B.1.1.1                   |
| 2   | February 6, 1990   | B.1.1.2                   |
| 3   | May 1, 1990        | B.2.4.15.0                |
| 4   | February 20, 1990  | B.2.4.15.1                |
| 5   | February 20, 1990  | B.2.4.15.2                |
| 6   | September 18, 1990 | B.1.1.4.1                 |
| 7   | December 20, 1993  | B.1.1.4.2                 |
| 8   | May 18, 1992       | B.1.1.4.3                 |
| 9   | October 20, 1992   | B.1.1.4.4                 |
| 10  | July 21, 1992      | B.1.1.4.5                 |
| 11  | July 21, 1992      | B.1.1.4.6                 |
| 12  | March 24, 1993     | B.1.1.4.7                 |
| 13  | January 9, 1996    | B.1.1.4.8                 |
| 14  | September 12, 1994 | B.1.1.4.9                 |
| 15  | July 12, 1994      | B.1.1.4.10                |
| 16  | December 12, 1995  | B.1.1.4.11                |
| 17  | December 12, 1995  | B.1.1.4.12                |
| 18  | March 20, 1995     | B.1.1.4.13                |
| 19  | November 7, 1995   | B.1.1.4.14                |
| 20  | August 18, 1997    | B.1.1.4.15                |
| 21  | February 5, 1998   | B.1.1.4.16                |
| 22  | March 24, 1998     | B.1.1.4.17                |
| 23  | March 31, 1998     | B.1.1.4.18                |
| 24  | February 3, 2000   | B.1.1.4.19                |
| 25  | July 28, 1999      | B.1.1.4.20                |

| No. | Final Approval     | Specific Policy Reference |
|-----|--------------------|---------------------------|
| 1   | February 6, 1990   | B.1.1.1                   |
| 2   | February 6, 1990   | B.1.1.2                   |
| 3   | May 1, 1990        | B.2.4.15.0                |
| 4   | February 20, 1990  | B.2.4.15.1                |
| 5   | February 20, 1990  | B.2.4.15.2                |
| 6   | September 18, 1990 | B.1.1.4.1                 |
| 7   | December 20, 1993  | B.1.1.4.2                 |
| 8   | May 18, 1992       | B.1.1.4.3                 |
| 9   | October 20, 1992   | B.1.1.4.4                 |
| 10  | July 21, 1992      | B.1.1.4.5                 |
| 11  | July 21, 1992      | B.1.1.4.6                 |
| 12  | March 24, 1993     | B.1.1.4.7                 |
| 13  | January 9, 1996    | B.1.1.4.8                 |
| 14  | September 12, 1994 | B.1.1.4.9                 |
| 15  | July 12, 1994      | B.1.1.4.10                |
| 16  | December 12, 1995  | B.1.1.4.11                |
| 17  | December 12, 1995  | B.1.1.4.12                |
| 18  | March 20, 1995     | B.1.1.4.13                |
| 19  | November 7, 1995   | B.1.1.4.14                |
| 20  | August 18, 1997    | B.1.1.4.15                |
| 21  | February 5, 1998   | B.1.1.4.16                |
| 22  | March 24, 1998     | B.1.1.4.17                |
| 23  | March 31, 1998     | B.1.1.4.18                |
| 24  | February 3, 2000   | B.1.1.4.19                |
| 25  | July 28, 1999      | B.1.1.4.20                |





# OFFICIAL PLAN FOR THE TOWNSHIP OF GLANBROOK

## SCHEDULE A LAND USE PLAN

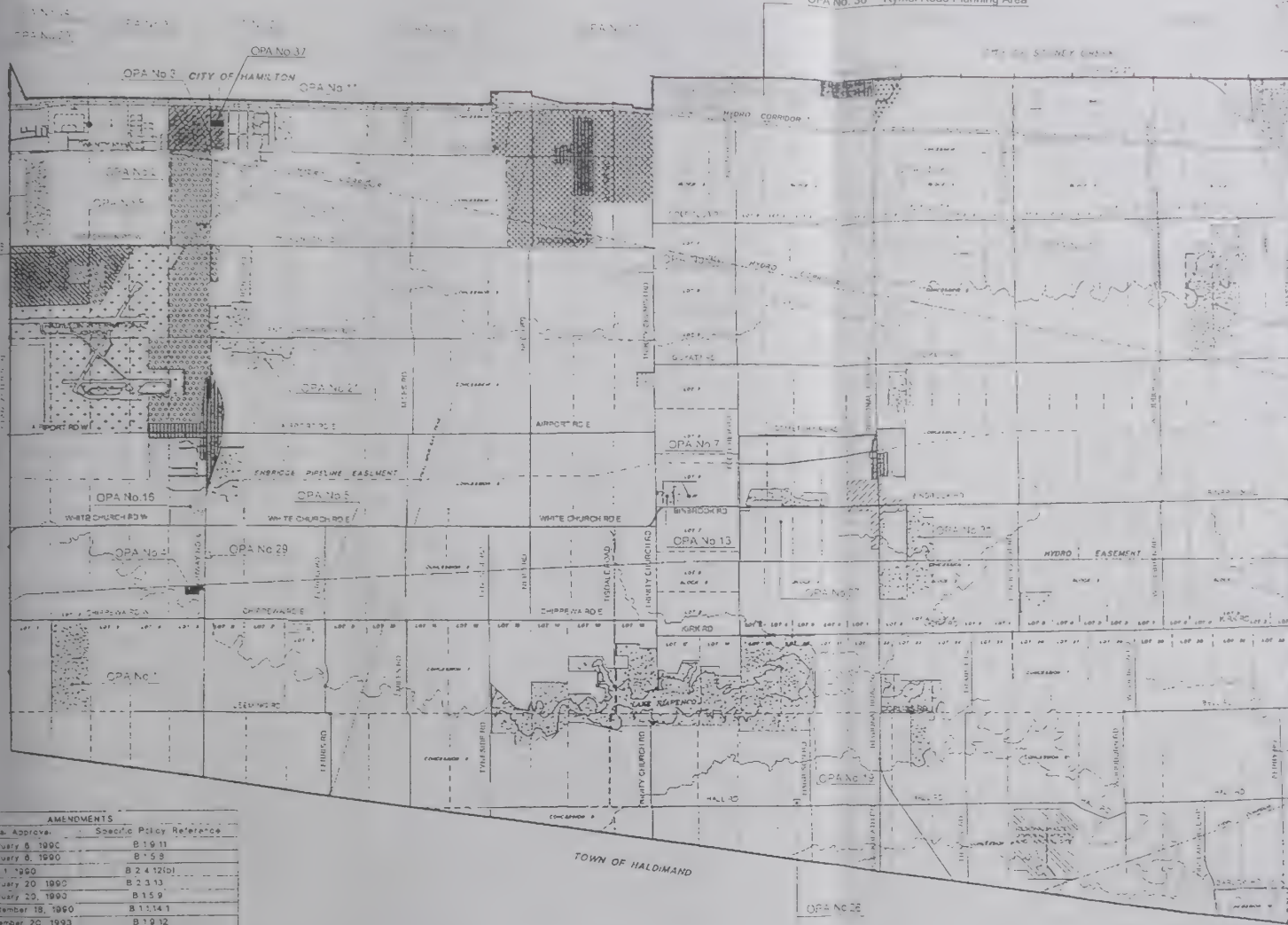
### LEGEND

#### RURAL AREA

- AGRICULTURAL
- WOODBURN RURAL SETTLEMENT AREA
- RURAL INDUSTRIAL - BUSINESS PARK
- RURAL INDUSTRIAL
- INSTITUTIONAL
- PUBLIC INDUSTRIAL
- OPEN SPACE AND CONSERVATION
- SPECIAL POLICY AREA 1

#### URBAN AREA

- RESIDENTIAL
- GENERAL COMMERCIAL
- BINBROOK VILLAGE
- BINBROOK COMMUNITY CORE
- AIRPORT-RELATED COMMERCIAL
- AIRPORT
- AIRPORT INDUSTRIAL-BUSINESS PARK
- NORTH GLANBROOK INDUSTRIAL-BUSINESS PARK



| Final Approval     | Specific Policy Reference           |
|--------------------|-------------------------------------|
| February 8, 1990   | B.1.9.11                            |
| February 8, 1990   | B.1.5.3                             |
| May 1, 1990        | B.2.4.12(i)                         |
| February 20, 1992  | B.2.3.13                            |
| February 20, 1993  | B.1.5.9                             |
| September 18, 1990 | B.1.14.1                            |
| December 20, 1993  | B.1.9.12                            |
| May 19, 1992       | B.2.6.15(a) to (iii)                |
| October 20, 1992   | B.1.14.2                            |
| July 21, 1992      | B.1.9.13                            |
| July 21, 1992      | B.2.4.12(c)                         |
| March 24, 1993     | Various Housing Policies            |
| January 9, 1995    | B.1.9.14                            |
| September 12, 1994 | B.2.1.25 and Schedule "G"           |
| July 12, 1994      | B.1.14.3                            |
| December 12, 1995  | B.2.1.24, B.2.3.11 and Schedule "C" |
| November 2, 1994   | B.2.3.12                            |
| March 20, 1995     | B.1.14.4                            |
| November 7, 1995   | D.2.4.1                             |
| August 18, 1997    | B.2.1.26 and D.3.1.1                |
| February 5, 1998   | B.1.9.15                            |
| March 24, 1998     | B.1.14.2                            |
| March 31, 1998     | B.2.4.13                            |
| February 3, 2000   | B.1.4.14.1                          |
| July 28, 1999      | B.1.14.5                            |

| No. | Final Approval     | Specific Policy Reference                                  |
|-----|--------------------|------------------------------------------------------------|
| 26  | November 11, 1999  | B.1.14.6                                                   |
| 27  | February 2, 2000   | B.2.1.23, B.2.2 AND SCHEDULES "B" AND "H" AND APPENDIX "5" |
| 28  | July 19, 2000      | B.1.14.1                                                   |
| 29  | September 13, 2000 | B.1.14.7                                                   |
| 30  | December 7, 2000   | B.1.14.8                                                   |
| 31  | December 12, 2000  | B.1.9.17 and B.1.9.18                                      |
| 32  | December 7, 2000   | B.1.14.2                                                   |
| 33  | December 12, 2000  | B.2.1.25 and B.2.1.26                                      |

| No. | Final Approval    | Specific Policy Reference                                               |
|-----|-------------------|-------------------------------------------------------------------------|
| 34  | March 6, 2001     | G.5.1                                                                   |
| 35  | May 29, 2002      | B.1.14.1                                                                |
| 36  | March 20, 2002    | Schedule A, E, F, A.2.4, A.3.1, B.2, B.2.1.10, B.3, F.1.1, G.4.7, H.1.1 |
| 37  | December 11, 2002 | B.2.4.14                                                                |

**Schedule A**  
Amendment No. 37  
to the Official Plan  
for the  
Former township of Glanbrook

**Legend**  
 Lands subject to OPA No. 37 and Specific Policy Reference B.2.4.14

Date: Dec. 2002  
 Revised By: Kyle MacIntyre  
 Reference File No.: OPA 37 (G)

|          |                |                                                                                                               |        |
|----------|----------------|---------------------------------------------------------------------------------------------------------------|--------|
| DATE     | NOVEMBER, 2002 | SCALE                                                                                                         | N.T.S. |
| DRAWN BY | L.C.           |                                                                                                               |        |
|          |                | NOTE: THIS SCHEDULE SHOULD BE READ IN CONJUNCTION WITH THE POLICIES AND OTHER SCHEDULES OF THE OFFICIAL PLAN. |        |





**Bill No. 359**

**CITY OF HAMILTON**

**BY-LAW NO. 02-359**

**To Amend Zoning By-law No. 464 (Glanbrook)  
Respecting Lands Located on 1853 and 1861 Highway No. 6  
Owned by Gino Bartolozzi**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1<sup>st</sup>, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Township of Glanbrook" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

**AND WHEREAS** the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 464 (Glanbrook) was enacted on the 16<sup>th</sup> day of March, 1992, and approved by the Ontario Municipal Board on the 31<sup>st</sup> day of May, 1993;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Township of Glanbrook);

**AND WHEREAS** it is intended to change the zoning of the lands hereinafter referred to, and to amend certain exemptions under Section 44 of By-law No. 464 (Glanbrook), passed on the 16<sup>th</sup> day of March, 1992 and approved by the Ontario Municipal Board by Order dated the 31<sup>st</sup> day of May, 1993.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

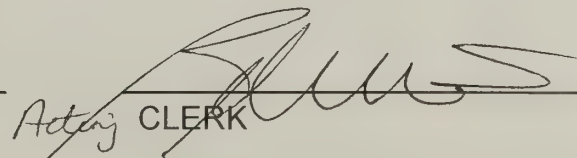
1. Schedule "E", appended to and forming part of By-law No. 464 (Glanbrook) is amended by changing from the site-specific Airport-Related Commercial "C5-005" Zone to the site-specific Airport-Related Commercial "C5-172" Zone, the land comprised in Block 1, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".



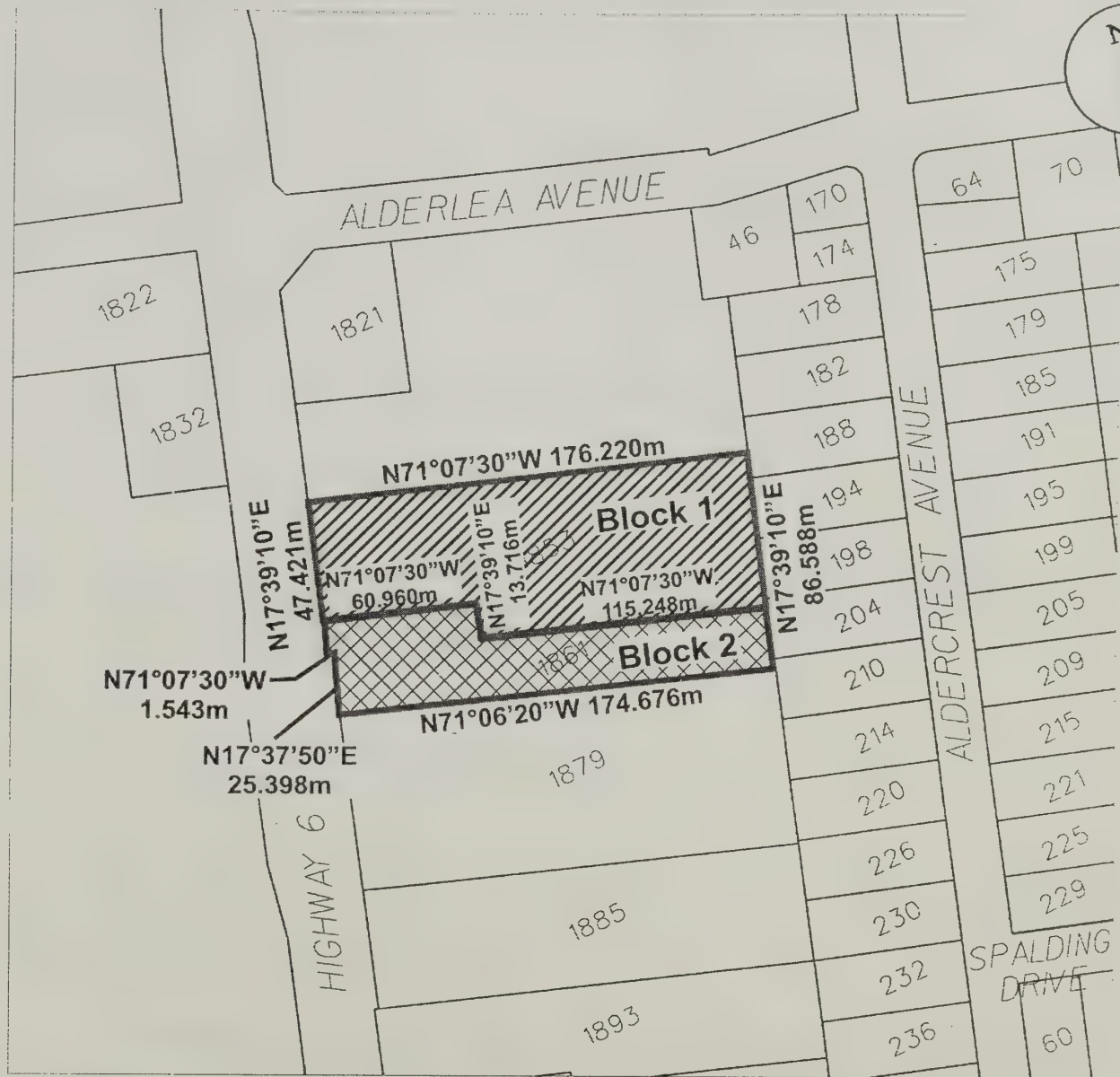
2. Schedule "E", appended to and forming part of By-law No. 464 (Glanbrook), is amended by changing from the site-specific Airport-Related Commercial "C5-090" Zone to the site-specific Airport-Related Commercial "C5-172" Zone, the land comprised in Block 2, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
3. That Section 44, "Exemptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by deleting special provision "C5-005" in its entirety.
4. That Section 44, "Exemptions to the Provisions of this By-law", of Zoning By-law No. 464, be amended by adding a new special provision, "C5-172", to include the following:
  - "1. Notwithstanding Section 27.1 PERMITTED USES of SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE, those lands zoned site-specific Airport-Related Commercial "C5-172" may also be used for Motor Vehicle Dealerships and Motor Vehicle Repair Shops.
  2. Notwithstanding Section 27.1 PERMITTED USES of SECTION 27: AIRPORT-RELATED COMMERCIAL "C5" ZONE, Places of Entertainment and Places of Recreation shall be prohibited uses on those lands zoned site-specific Airport-Related Commercial "C5-172".
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
Acting CLERK





This is Schedule "A" to By-Law No. 02 - 359

Passed the 11th day of December, 2002.

*[Signature]*  
Mayor

## Schedule "A"

Map Forming Part of  
By-Law No. 02- 359

to Amend By-Law No. 464



Hamilton

Planning and Development Department

### Block 1



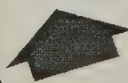
Change from the site-specific Airport-Related Commercial "C5-005" Zone to the site-specific Airport-Related Commercial "C5-172" Zone

### Block 2



Change from the site-specific Airport-Related Commercial "C5-090" Zone to the site-specific Airport-Related Commercial "C5-172" Zone

North



Scale  
NOT TO SCALE

Date  
December 5, 2002

Reference File No.  
ZAC-02-24/OPA-02-02/  
ROPA-02-01

Drawn By  
LM





**Authority:** Item 9, Committee of the Whole  
Report 02-042 (PD02237)  
CM: December 11, 2002

**Bill No. 360**

## **CITY OF HAMILTON**

### **BY-LAW NO. 02-360**

**To Amend Zoning By-law No. 87-57 (Ancaster), as amended  
Respecting Lands Located at Block 163 Tranquility Avenue (Ancaster)  
Owned by Ancaster-Jerseyville Estates Limited**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

**AND WHEREAS** the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** Zoning By-law No. 87-57 (Ancaster) was enacted on the 22<sup>nd</sup> day of June 1987, and approved by the Ontario Municipal Board on the 23<sup>rd</sup> day of January, 1989;

**AND WHEREAS** this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

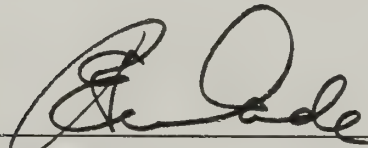
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule "B", Map 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing the zoning from Residential Multiple "RM4-399-H" to Residential Multiple "RM4-399" by removing the suffix "H" those lands being Block 163 Tranquility Avenue, former geographic township of Ancaster and more particularly shown on Schedule 'A' attached hereto and forming part of this By-law.



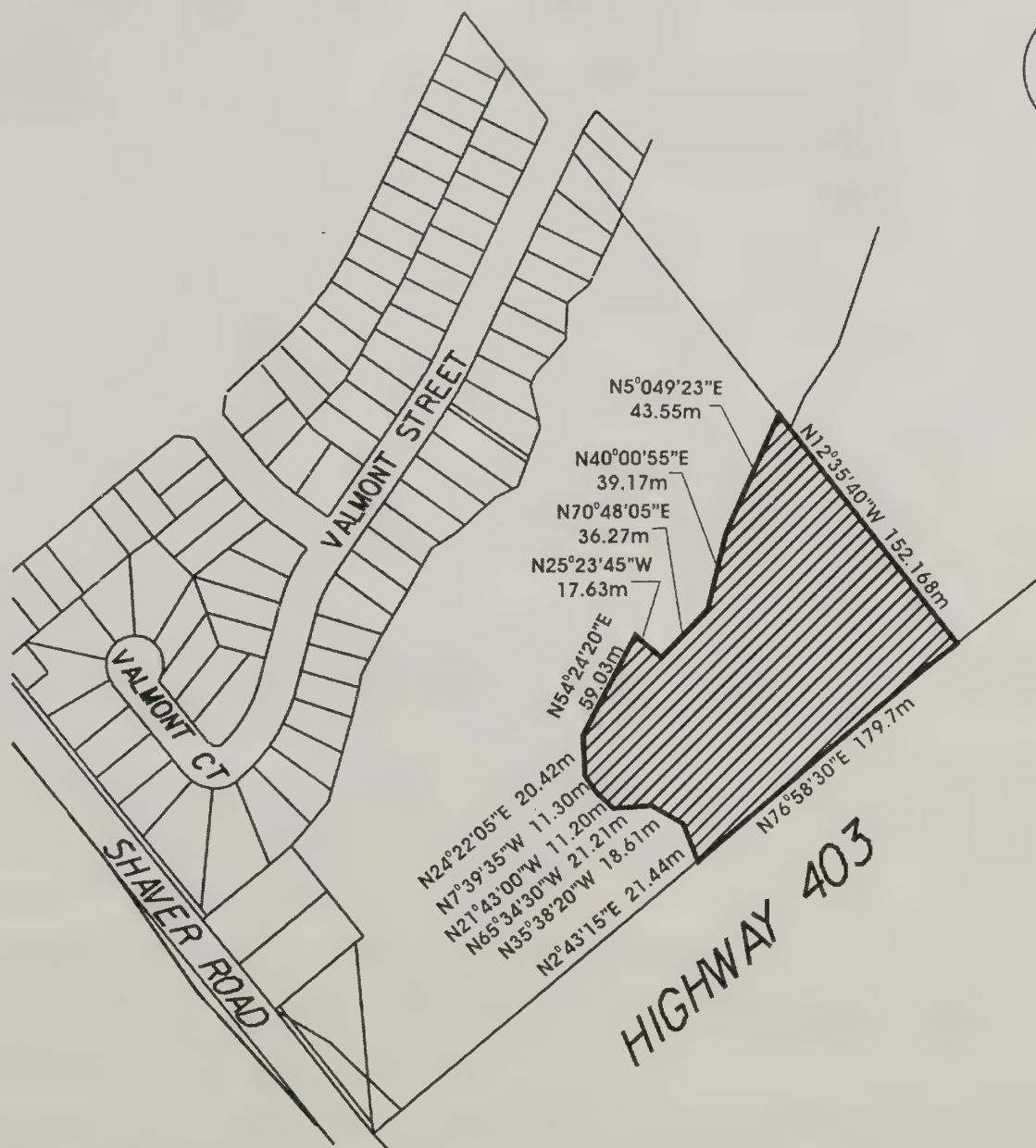
2. All other regulations of Section 17– Residential Multiple Zone, “RM4-399” Zone, as amended and the General Provisions of Zoning By-law 87-57 (Ancaster) shall continue to apply.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002 .

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
Acting CLERK





This is Schedule "A" to By-Law No. 02 - 360

Passed the 11th day of December, 2002.

*[Signature]*  
Mayor

## Schedule "A"

Map Forming Part of  
By-Law No. 02- 360  
to Amend By-Law No. 87-57



Hamilton

Planning and Development Department

## Legend



### Subject Property

Remove the "H" provision from the  
"RM4-399-H" Residential Multiple Holding  
Zone, Tranquility Avenue

North



Scale

NOT TO SCALE

Date

November 13, 2002

Reference File No.

ZAR-02-61

Drawn By

NM





**Bill No. 361**

**CITY OF HAMILTON**

**BY-LAW NO. 02-361**

**To Amend Zoning By-law No. 6593  
Respecting Lands Located at 162 King William Street**

**WHEREAS** the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

**AND WHEREAS** the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

**AND WHEREAS** the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

**AND WHEREAS** the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

**AND WHEREAS** the Council of the City of Hamilton, in adopting Section 1 of Report 02-039 of the Hearing Sub Committee at its meeting held on the 4<sup>th</sup> day of December, 2002, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

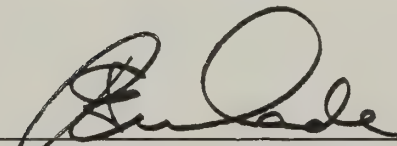
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. The "CR-3" (Commercial-Residential) District provisions, as contained in Section 15B of Zoning By-law No. 6593, applicable to the lands, the extent boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,



- (a) notwithstanding Section 15B(3)(b) of By-law No. 6593, an outdoor patio shall be permitted.
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "CR-3" District provisions, subject to the special requirements referred to in section 1.
  3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-473a.
  4. Sheet No. E-4 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-473a.
  5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 11<sup>th</sup> day of December, 2002.



MAYOR



CLERK









CITY OF HAMILTON

BY-LAW NO. 02-362

**A By-Law to Prohibit Accident Scene Solicitation on Highways**

**WHEREAS** Council may pass by-laws for prohibiting or regulating sales by retail on the highways pursuant to section 210, paragraph 73, of the Municipal Act, for prohibiting persons from soliciting or importuning, on a highway others to employ any vessel or vehicle, or to go to any hotel or boarding house or lodging house, or for regulating persons so employed pursuant to section 210, paragraph 121, of the Municipal Act, for regulating traffic in and preventing the blocking up of the highways by vehicles or otherwise pursuant to section 210, paragraph 123, of the Municipal Act, and for prohibiting the parking or leaving of motor vehicles on property owned or occupied by the municipality without the consent of the municipality pursuant to section 210, paragraph 131 of the Municipal Act;

**AND WHEREAS** Council deems it in the public interest to protect persons involved in vehicle accidents on public property and persons using the highways within the municipality, and to ensure that highways are kept free of obstructions and impedances at accident scenes for emergency vehicles and emergency personnel;

**AND WHEREAS** Council deems it no longer necessary to licence tow truck operators within the municipality.

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. In this By-Law:

- (a) "business" has the same meaning as provided in Section 257.1 of the Municipal Act, R.S.O. 1990, Chapter M45, as amended;
- (b) "City" means the City of Hamilton, either in the sense of the geographic area of the municipality or the identity of the municipal corporation as the context requires;
- (c) "Council" means the council of the City of Hamilton;
- (d) "emergency personnel" means the operator, driver, attendant or personnel of an emergency vehicle;



- (e) "emergency vehicle" means ambulance or fire department vehicle as defined in section 61 of Highway Traffic Act, a police department vehicle or public utility emergency vehicle, a ministry emergency vehicle operated by an officer appointed to carry out the Highway Traffic Act, the Public Vehicles Act, the Truck Transportation Act, or the Environmental Protection Act while the officer is in the course of his or her employment;
  - (f) "firefighter" means a firefighter, within the meaning of subsection 1 (1) of the Fire Protection and Prevention Act, 1997;
  - (g) "highway" means a highway as defined in the Municipal Act, but does not include a King's Highway as defined in the Highway Traffic Act, or a road, street, bridge or highway laid out but not assumed for public use or established by by-law, whether built by a private person or body corporate;
  - (h) "Highway Traffic Act" shall be deemed to be a reference to the Highway Traffic Act, R.S.O. 1990, Chapter H.8, as amended;
  - (i) "motor vehicle" means motor vehicle as defined in the Highway Traffic Act;
  - (j) "tow-truck" means a motor vehicle, which is designed, modified, or used, for towing, carrying, or lifting of disabled or inoperative motor vehicles, with or without the assistance or use of lifts, winches, dollies, trailers or the like equipment;
  - (k) "towing services" means the provision or use of a tow-truck, the assistance of the driver, and the use of the equipment carried or available for use in conjunction with the tow-truck for the pulling, carrying, or lifting of a motor vehicle, at a place located with the City of Hamilton; and
  - (l) "vehicle" means vehicle as defined in the Highway Traffic Act.
2. No person shall solicit or make or convey an offer of business services or goods, while that person is within 200 metres of,
- (a) the scene of a vehicle accident or apparent accident; or
  - (b) a vehicle involved in an accident, on a highway.
3. No person shall solicit the hiring of a tow-truck or make or convey an offer of towing services, while that person is within 200 metres of,



- (a) the scene of a motor vehicle accident or apparent accident; or
  - (b) a motor vehicle involved in an accident, on a highway.
4. No person shall park, stop or stand a tow-truck on a highway within 200 metres of,
- (a) the scene of a motor vehicle accident or apparent accident; or
  - (b) a motor vehicle involved in an accident.
5. Section 2 does not apply to towing services where the person is at the scene of the accident at the request of a police officer, a municipal fire fighter, an officer appointed for carrying out the provisions of the Highway Traffic Act, a person engaged in highway maintenance or a person involved in the accident.
6. Sections 3 and 4 do not apply to a person who is at the scene of the accident at the request of a police officer, a municipal fire fighter, an officer appointed for carrying out the provisions of the Highway Traffic Act, a person engaged in highway maintenance or a person involved in the accident.

### **Offence**

7. Every person who contravenes any provision in this By-Law is guilty of an offence and on conviction is liable to a penalty in accordance with section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

### **Powers of officer to remove vehicle**

8. A police officer, a municipal law enforcement officer, or an officer appointed for the carrying out of the provisions of this By-Law, upon discovery of any vehicle parked, stopped or standing in contravention of this By-Law, may cause it to be moved or taken to and placed or stored in a suitable place pursuant to subsection 170(15) of the Highway Traffic Act and section 210 paragraphs 131 of the Municipal Act, and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Lien Act, R.S.O. 1990, Chapter R.25, as amended.
9. If a Court of competent jurisdiction declares a part or the whole of any provision of this By-law to be invalid, of no force and effect or beyond the power of the Council to enact, such provision or parts thereof shall be deemed to be severable and all other provisions or parts thereof of this By-law shall be deemed to be separate and independent therefrom and continue in full force and effect and it is the intention of Council that the remainder of this By-Law survive and be applied and enforced in accordance with its terms to the extent possible under the law.



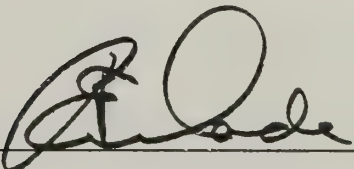


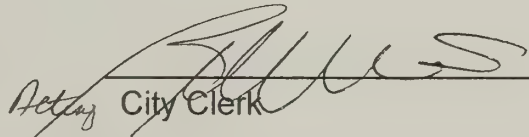


## Repeals

10. (1) The words "Schedule 28 Tow-trucks" shall be deleted Section 30 and "Tow Truck Owner" and "Tow Truck Driver" shall be deleted from Subsections 6(1)(e)(ii) and (iii) and Appendices "A", "B" and "C" of By-law No. 01-156 being "A By-Law to Licence and Regulate Various Businesses".
- (2) Schedule 28 of By-law No. 01-156 is hereby repealed.
- (3) The licensing categories and fees of "Tow Truck Owner", "Tow Truck Driver" and "Tow Truck" in Schedule 31 of By-law No. 01-156 are hereby deleted.
11. This By-Law may be referred to as the "City of Hamilton Highway Accident Non-Solicitation By-Law".
12. This By-Law comes into force on December 12, 2002.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Acting City Clerk



**Bill No. 363**

**CITY OF HAMILTON  
BY-LAW NO. 02-363  
To Amend By-law No. 01-215 and By-law No. 01-218  
Being By-laws to Regulate Traffic and On-Street Parking**

**WHEREAS** Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

**AND WHEREAS** Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic and By-law No. 01-218 to regulate on-street parking;

**AND WHEREAS** it is necessary to amend By-law No. 01-215 and By-law No. 01-218;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" thereof the following item, namely:

|                              |           |                                            |
|------------------------------|-----------|--------------------------------------------|
| "Green Mountain Road<br>East | Westbound | Eleventh Road East"<br>(east intersection) |
|------------------------------|-----------|--------------------------------------------|

2. Schedule 2 (Through Highways) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "G" thereof the following items, namely:

|                        |                                 |                                          |
|------------------------|---------------------------------|------------------------------------------|
| "Eleventh Road<br>East | Southern limit of Ridge<br>Road | Northern limit of Green Mountain<br>Road |
|------------------------|---------------------------------|------------------------------------------|

|                       |                                          |                              |
|-----------------------|------------------------------------------|------------------------------|
| Eleventh Road<br>East | Southern limit of Green<br>Mountain Road | Northern limit of Mud Street |
|-----------------------|------------------------------------------|------------------------------|

|                       |                                 |                         |
|-----------------------|---------------------------------|-------------------------|
| Eleventh Road<br>East | Southern limit of Mud<br>Street | Southern City Boundary" |
|-----------------------|---------------------------------|-------------------------|



and by deleting from Section "G" thereof the following items, namely:

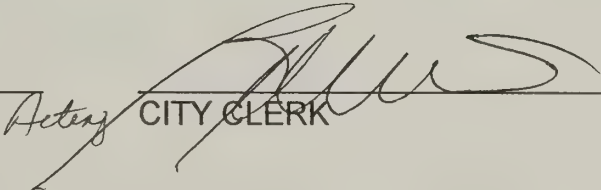
|            |                                    |                                    |
|------------|------------------------------------|------------------------------------|
| "Fifty Rd. | The southern limit of Reg. Rd. 425 | The northern limit of Reg. Rd. 411 |
|------------|------------------------------------|------------------------------------|

|           |                                    |                        |
|-----------|------------------------------------|------------------------|
| Fifty Rd. | The southern limit of Reg. Rd. 411 | The Regional Boundary" |
|-----------|------------------------------------|------------------------|

3. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, and No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
Acting CITY CLERK





**Bill No. 364**

City of Hamilton

BY-LAW No. 02-364

Respecting:

Removal of Part Lot Control  
Part of Lots 12 to 18 Inclusive, "Crerar Park – Phase 2", 62M-973

**WHEREAS** the Planning Act, (R.S.O. 1990; Chapter P.13 sec. 50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

**AND WHEREAS** the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.



(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

**AND WHEREAS** the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

**AND WHEREAS** the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

**AND WHEREAS** as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

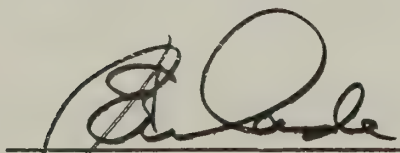
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements and rights-of-encroachment, shall not apply to the land within the portions of the registered plan of subdivision that are designated as follows:

Lots 12 to 18 Inclusive, Plan 62M-973, in the City of Hamilton

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: December 1, 2004.

PASSED this 11<sup>th</sup> day of December 2002.

  
MAYOR

  
CITY CLERK



## CITY OF HAMILTON

### BY-LAW NO. 02-365

Being a By-law to impose a water works rate under Section 221 of the Municipal Act, R.S.O. 1990, Chapter M.45 upon owners or occupants of land abutting a section of Highway 56 and Binbrook Road in the City of Hamilton.

**WHEREAS** a developer, Bay Area Infrastructure Inc. in satisfaction of terms and conditions of the Glanbrook Leachate Removal Design/ Build and Binbrook Development Charge Financing Agreement dated September 1<sup>st</sup>, 2000 did construct a watermain system on Regional Road 56 from Cemetery Road to Binbrook Road, in the City of Hamilton, hereinafter referred to as the "Regional Road 56 Water Works".

**AND WHEREAS** a developer, Rob-Geof Construction Limited., in satisfaction of terms and conditions of the Subdivision Agreement dated December 22, 2000 for a development known as Southbrook on the Green Phase 1, did construct a watermain system, including the eight (8) water service connections identified on Schedule A hereto, on Binbrook Road from Regional Road 56 to Southbrook Drive, in the City of Hamilton, hereinafter referred to as the "Binbrook Road Water Works".

**AND WHEREAS** the Council of the City of Hamilton authorized the repayment of costs to the above noted two developers pursuant to the terms and conditions of the said Agreements, by approving Item 15.1 of Committee of the Whole Report 02-043 on December 11<sup>th</sup>, 2002;

**AND WHEREAS** at the said meeting of December 11<sup>th</sup>, 2002 the Council also authorized the full cost recovery of the capital costs for the Regional Road 56 Water Works and the Binbrook Road Water Works (together hereinafter referred to as the "Water Works") by way of Section 221 of the Municipal Act by imposing a water works rate upon the owners of land who derive, will derive, or may derive a benefit from the Water Works;

**AND WHEREAS** at the time of the passage of this By-law, the combined capital costs of the Regional Road 56 Water Works and the Binbrook Road Water Works to be recovered in accordance with this By-law is \$425,007.

**NOW THEREFORE**, the Council of the City of Hamilton enacts as follows:

1. A water works rate is hereby imposed, pursuant to Section 221(2) of the Municipal Act, as amended, upon the owners of land who derive, will derive or may derive a benefit from the construction of the water works, hereinafter referred to as "Assessed Owners".





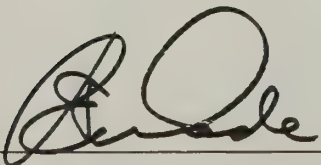


2. The Assessed Owners consist of forty-eight (48) single-family residential properties and twenty-four (24) non-residential properties, totalling seventy-two (72) properties in all.
3. The water works rate has been established using the approved method for cost apportionment per City of Hamilton Report TOE02005 (Funding Methodologies for Municipal Infrastructure Extensions) and has been calculated assuming an equal benefit to each equivalent residential lot. The non-residential properties have been assessed based on lot area. This method of calculating the water works rate is considered to be fair.
4. The water works rate for the Water Works, excluding the eight (8) water service connections, to benefit the seventy-two (72) Assessed Owners' lands at a cost of \$391,975.00, shall be attributed to each Assessed Owners' land at a water works rate of \$4,168.47 per residential lot and \$1.45527 per square metre of non-residential lot area. The amount of \$33,032 for the eight (8) water service connections shall be attributed to the lots that have received the benefit of such water service connections, as identified in Schedule A hereto.
5. The charge resulting from the application of the water works rate, hereinafter referred to as the "Indebtedness", shall be due and payable at the time of the issuance of the water permit for an Assessed Owner's land, in addition to the regular permit fees and any other applicable fees.
6. The Assessed Owners who connect to the Water Works have the option of paying the water works rate by way of annual payments over a period of fifteen (15) years by entry on the collector's roll, to be collected in the same way, as municipal taxes are collected. The interest rate utilized for the 15 year payment shall be the annual interest rate approved for the City's Municipal Act Program (2002 rate – 6.25%) or the Council approved rate substituted therefor.
7. Notwithstanding Section 7, an Assessed Owner may pay the commuted value of the Indebtedness at any time.
8. The water works rate shall be indexed annually in accordance with the percentage change in the composite Canadata Construction Cost Index (Ontario Series), commencing one year from the date of the passage of this By-law.
9. The water works rate and the resulting Indebtedness imposed by this By-law shall be a lien and charge upon the Assessed Owner's lands and, if the Indebtedness, or any portion thereof, remains unpaid after the due date established in section 6 or section 7 herein, the unpaid amount may be entered on the collector's roll and collected in the same manner as municipal taxes.



10. If the Assessed Owner severs or subdivides his or her parcel of land, then the remaining balance of the Indebtedness owed to the City, whether the subject land is connected to the Water Works or not, shall be paid to the City as a condition of severance or subdivision approval.
11. The above-noted two developers, Bay Area Infrastructure Inc. and Rob-Geof Construction Limited, upon satisfying the City that they have completed their obligations with respect to the construction of the Water Works for the Assessed Owners' lands, shall receive repayment of the relevant costs pursuant to the terms and conditions of the said Agreements, the terms outlined herein and as authorized by the Council of the City of Hamilton.
12. If any provision or requirement of this By-law, or the application thereof to any person or land shall to any extent be held to be invalid or unenforceable by any court of competent jurisdiction, the remainder of this By-law, or the application of such provisions or requirements to all persons and lands other than those in respect of whom it is held to be invalid or unenforceable, shall not be affected thereby and each provision and requirement of this By-law shall be separately valid and enforceable.
13. This By-law shall come into force and take effect on the day following the date of its passing and enactment.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Acting City Clerk





SCHEDULE A TO BY-LAW No. 02-365

WATERMAINS ON REGIONAL ROAD 56 FROM CEMETERY ROAD TO BINBROOK ROAD AND ON  
BINBROOK ROAD FROM REGIONAL ROAD 56 TO SOUTHBROOK DRIVE

TOTAL WATERMAIN RATE: \$1468.47 PER RESIDENTIAL LOT  
\$1.45527 PER SQUARE METRE OF NON-RESIDENTIAL LOT AREA

| ROLL NUMBER             | STREET NUMBER     | STREET   | OWNERS NAME                | OWNERS NAME              | CLASSIFICATION  | NON-RESIDENTIAL LAND AREA (SQUARE METRES) | TOTAL COST-RES (\$) |
|-------------------------|-------------------|----------|----------------------------|--------------------------|-----------------|-------------------------------------------|---------------------|
| <b>Binbrook Road</b>    |                   |          |                            |                          |                 |                                           |                     |
| 90131068400             | 2668              | BINBROOK | MARTIN THOMAS              |                          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131068200             | 2660              | BINBROOK | SORENSEN JEFFREY           | DICHAZI KIMBERLEY        | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131068000             | 2654 (see note a) | BINBROOK | BARTKIEWICZ GARY           | BARTKIEWICZ BRENDA       | RESIDENTIAL     |                                           | \$ 7,086.37         |
| 90131067800             | 2646 (see note a) | BINBROOK | DAVIDSON RONALD            | DAVIDSON ELLEN           | RESIDENTIAL     |                                           | \$ 7,086.37         |
| 90131067600             | 2640              | BINBROOK | HUSKINS FRANK              | ROWE-HUSKINS TRACY       | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131067400             | 2630 (see note a) | BINBROOK | DIXON LINDA                |                          | RESIDENTIAL     |                                           | \$ 7,086.37         |
| 90131067200             | 2620 (see note a) | BINBROOK | RASMUSSEN PHILIP           |                          | RESIDENTIAL     |                                           | \$ 7,086.37         |
| 90131067000             | 2606              | BINBROOK | JACKSON ROGER              |                          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131066800             | 2600              | BINBROOK | LAUSZUS MANFRED            | LAUSZUS ISABELLA         | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131066600             | 2592              | BINBROOK | LAIDMAN ILA                | LAIDMAN MARVIN           | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90141064600             | 3015 (see note c) | BINBROOK | BANDO ENTERPRISES CANADA   |                          | NON-RESIDENTIAL | 1659                                      | \$ 11,777.39        |
| 90141046600             | 3011 (see note b) | RR 56    | C.I.B.C.                   |                          | NON-RESIDENTIAL | 567                                       | \$ 2,104.92         |
| 90141047000             | 2665              | BINBROOK | EBBERS ROBERT              |                          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90141047200             | 2657              | BINBROOK | HILLGARTNER RALPH          | HILLGARTNER MARY         | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90141047400             | 2653              | BINBROOK | WILSON WILFRED             | WILSON LINDA             | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90141047600             | 2647 (see note a) | BINBROOK | FLETCHER BARRY             |                          | RESIDENTIAL     |                                           | \$ 7,086.37         |
| 90141047800             | 2641              | BINBROOK | TIPLER JAMES               | TIPLER SHELAGH           | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90141048000             | 2623              | BINBROOK | BINBROOK UNITED CHURCH     | BOARD OF TRUSTEES        | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90141048200             | 2617*             | BINBROOK | BINBROOK UNITED CHURCH     | BOARD OF TRUSTEES        | NON-RESIDENTIAL | 5061                                      | \$ 7,365.10         |
| 90141048400             | 2605              | BINBROOK | ROB GEOFF PROPERTIES LTD   |                          | NON-RESIDENTIAL | 4047                                      | \$ 5,889.46         |
| <b>Regional Road 56</b> |                   |          |                            |                          |                 |                                           |                     |
| 90134039700             |                   | RR 56    | 1023804 ONTARIO INC        |                          | NON-RESIDENTIAL | 13115                                     | \$ 19,085.81        |
| 90134039750             | 2400              | RR 56    | HARVEY ARMSTRONG LIMITED   |                          | NON-RESIDENTIAL | 8500                                      | \$ 12,369.76        |
| 90134039770             | 2486              | RR 56    | FINTON DOUGLAS LESLIE      | FINTON PAMELA            | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90134039800             | 2474              | RR 56    | FINTON GLEN ALLAN          | FINTON HELEN FERN        | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90134040000             | 2490              | RR 56    | 1080907 ONTARIO LIMITED    |                          | NON-RESIDENTIAL | 4080                                      | \$ 5,937.48         |
| 90134040200             | 2506-2520         | RR 56    | WIELGOSZ STANLEY JOHN      | WIELGOSZ BARBARA         | NON-RESIDENTIAL | 2954                                      | \$ 4,298.85         |
| 90134040400             | 2532              | RR 56    | MARIPI ANNA LISA           |                          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90134040600             | 2544              | RR 56    | BIASON JOSEPH              |                          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90134040800             |                   | RR 56    | BINBROOK AGRICULTURAL SOC  |                          | NON-RESIDENTIAL | 4447.2                                    | \$ 6,471.86         |
| 90134041000             |                   | RR 56    | CITY OF HAMILTON           | BINBROOK BALL FIELD      | NON-RESIDENTIAL | 2565                                      | \$ 3,732.76         |
| 90134041200             | 2600              | RR 56    | CITY OF HAMILTON           | BINBROOK MEMORIAL HALL   | NON-RESIDENTIAL | 607                                       | \$ 883.35           |
| 90134041600             | 2610              | RR 56    | FRENCH BRENT               | FRENCH TAMMY             | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90134041800             | 2620              | RR 56    | SWITZER VERA JUNE          | SWITZER CRAIG            | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90134042200             | 2626              | RR 56    | GALLAGHER KEVIN DAVID      | GALLAGHER KATHRYN ELOE   | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90134042400             | 2634              | RR 56    | LAFFERTY KIMBALL ARTHUR    | LAFFERTY BRENDA JOYCE    | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90134043000             | 2636              | RR 56    | CITY OF HAMILTON           | FIREHALL                 | NON-RESIDENTIAL | 809                                       | \$ 1,177.31         |
| 90134043200             | 2636              | RR 56    | CITY OF HAMILTON           | FIREHALL                 | NON-RESIDENTIAL | 3400                                      | \$ 4,947.90         |
| 90134043400             |                   | RR 56    | CITY OF HAMILTON           | FIREHALL                 | NON-RESIDENTIAL | 809                                       | \$ 1,177.31         |
| 90134030000             | 2666 (see note d) | RR 56    | DO CHUL-HWAN IN TRUST      |                          | NON-RESIDENTIAL | 1862                                      | \$ 10,509.04        |
| 90131074500             | 2289              | RR 56    | PATRISHA & LEIGH KING      | ROGER NASH               | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131074400             | 2311              | RR 56    | BERALDO MARK               | BERALDO PAUL             | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131074200             | 2323              | RR 56    | STONEBRIDGE IAN            | STONEBRIDGE SHIRLEY      | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131074000             | 2333              | RR 56    | STICKLAND OLIVE            |                          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131073800             | 2341              | RR 56    | CHALMERS RUBY MARGARET     |                          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131073600             | 2351              | RR 56    | RICHARDSON ARTHUR WAYNE    | RICHARDSON JUDITH CAVELL | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131073400             | 2359              | RR 56    | DAVIES LLOYD               | DAVIES RUTH PAULINE      | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131073200             | 2365              | RR 56    | EYBEL CLAUDE NEIL          |                          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131073000             | 2375              | RR 56    | HINDMAN CULLEN TROY        | HINDMAN SANDRA GAIL      | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131072800             | 2385              | RR 56    | RENZELLA MARY JOSEPHINE    | RENZELLA ROBERT CAMILLE  | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131072600             | 2395              | RR 56    | SMOOK MAURICE STEPHEN      | SMOOK LYNDIA JOYCE       | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131072400             | 2403              | RR 56    | STEWART HAROLD             | STEWART MARION           | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131072200             | 2413              | RR 56    | EYBEL LENARD KEITH         |                          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131072050             | 2431              | RR 56    | COWLING IAN EDWARD         | COWLING JOAN ROBERTA     | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131072000             | 2441              | RR 56    | JANS JOHAN                 | JANS LAURIE ANN          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131071800             | 2451              | RR 56    | SMITH WILLIAM              | TURNER REBECCA           | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131071600             | 2461              | RR 56    | O'NEIL FARM EQUIPMENT 1971 |                          | NON-RESIDENTIAL | 8580                                      | \$ 12,486.18        |
| 90131071400             | 2471              | RR 56    | PATTERSON HILDA EVELYN     |                          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131071200             | 2487              | RR 56    | O NEIL FARM EQUIPMENT 1971 |                          | NON-RESIDENTIAL | 2558                                      | \$ 3,722.57         |
| 90131070800             | 2525              | RR 56    | ANGUS B JACKSON & SONS     |                          | NON-RESIDENTIAL | 30061                                     | \$ 43,746.73        |
| 90131070600             | 2545              | RR 56    | ADSHEAD DONALD ROY         | ADSHEAD SHARON RUTH      | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131070400             | 2555              | RR 56    | MURPHY LOIS MAY            |                          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131070200             | 2565              | RR 56    | SWITZER ROBERT             | SWITZER CHERYL           | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131070000             | 2575              | RR 56    | KENNEDY EDWARD EARL        | KENNEDY CYNTHIA LYNN     | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131069800             | 2585              | RR 56    | TOMLINSON KENNETH JAMES    | TOMLINSON LORRIE ANN     | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131069700             | 2595              | RR 56    | MACDONALD DAVID            | MACDONALD GAIL           | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131069600             | 2605              | RR 56    | JACKSON JOSEPHINE          |                          | NON-RESIDENTIAL | 1902                                      | \$ 2,767.91         |
| 90131069400             | 2621              | RR 56    | CANADA POST CORPORATION    |                          | NON-RESIDENTIAL | 2671                                      | \$ 3,887.01         |
| 90131069200             | 2641              | RR 56    | CITY OF HAMILTON           |                          | NON-RESIDENTIAL | 3482                                      | \$ 5,067.23         |
| 90131069250             |                   | RR 56    | CITY OF HAMILTON           |                          | NON-RESIDENTIAL | 17895                                     | \$ 26,041.97        |
| 90131069300             |                   | RR 56    | CITY OF HAMILTON           |                          | NON-RESIDENTIAL | 9134                                      | \$ 13,292.39        |
| 90131069000             | 2651              | RR 56    | JOHNSON BERNICE            |                          | RESIDENTIAL     |                                           | \$ 4,168.47         |
| 90131068600             |                   | RR 56    | CITY OF HAMILTON           |                          | NON-RESIDENTIAL | 1093                                      | \$ 1,590.61         |
| <b>TOTAL</b>            |                   |          |                            |                          |                 |                                           | <b>\$ 425,007</b>   |

\* - exempt from charge

Note a : Includes service connection costs of \$2917.90  
Note b : Includes service connection costs of \$1279.78  
Note c : Includes service connection costs of \$9363.10  
Note d : Includes service connection costs of \$7799.34





Bill No. 366

CITY OF HAMILTON  
BY-LAW NO. 02-366  
To Amend By-law No. 01-215  
Being a By-law To Regulate Traffic

**WHEREAS** Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

**AND WHEREAS** Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** it is necessary to amend By-law No. 01-215;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "D" thereof the following items, namely:

|                        |               |                                       |     |
|------------------------|---------------|---------------------------------------|-----|
| "Leeming Road          | Highway No. 6 | Ferris Road<br>(east intersection)    | 60  |
| Trinity Church<br>Road | Golf Club Rd. | Southerly Limit<br>(at Lake Niapenco) | 60" |

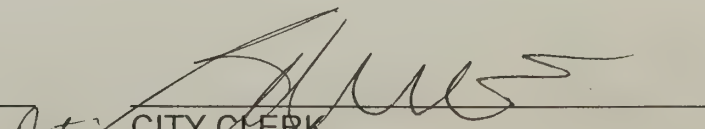
and by deleting from Section "D" thereof the following items, namely:

|                       |                                                        |              |     |
|-----------------------|--------------------------------------------------------|--------------|-----|
| "Trinity Church<br>Rd | Reg. Rd. #22,<br>South, 1.448<br>kilometers (.9 miles) | Chippewa Rd. | 60  |
| Trinity Church<br>Rd  | Regional Road 22                                       | Airport Road | 60" |

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002

  
MAYOR

  
CITY CLERK



**Bill No. 367**

**CITY OF HAMILTON  
BY-LAW NO. 02-367  
To Amend By-law No. 01-215  
Being a By-law To Regulate Traffic**

**WHEREAS** Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

**AND WHEREAS** Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** it is necessary to amend By-law No. 01-215;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" thereof the following items, namely:

|                      |       |                                        |
|----------------------|-------|----------------------------------------|
| "Avery Circle        | South | McCollum Road                          |
| Bridgenorth Crescent | West  | Islandview Way<br>(north intersection) |
| Bridgenorth Crescent | West  | Islandview Way<br>(south intersection) |
| Cardigan Place       | East  | Islandview Way                         |
| Delrosa Way          | East  | Islandview Way                         |
| Dewsbury Way         | North | Glenmeadow Crescent                    |
| Dewsbury Way         | South | Northhampton Boulevard                 |
| Easthampton Road     | South | Springstead Avenue                     |
| Falcon Road          | East  | Fifty Road                             |
| Glenmeadow Crescent  | West  | Islandview Way                         |



To Amend By-law No. 01-215, as amended,  
Being a By-law to Regulate Traffic

(north intersection)

|                        |             |                                              |
|------------------------|-------------|----------------------------------------------|
| Glenmeadow Crescent    | West        | Islandview Way<br>(south intersection)       |
| Goldeye Drive          | North       | Glenmeadow Crescent                          |
| Gracehill Drive        | East        | Islandview Way                               |
| Islandview Way         | North       | McCollum Road                                |
| Islandview Way         | South       | Northhampton Boulevard                       |
| Kingspoint Circle      | South       | Northhampton Boulevard/<br>Kingspoint Circle |
| McCollum Road          | West        | Fifty Road                                   |
| Northhampton Boulevard | East & West | Easthampton Road/<br>Goldeye Drive           |
| Panorama Way           | East        | Westhampton Way                              |
| Panorama Way           | West        | Fifty Road                                   |
| Watercliffe Place      | East        | Islandview Way                               |
| Westhampton Way        | North       | Northhampton Boulevard/<br>Kingspoint Circle |
| Westhampton Way        | South       | Springstead Avenue"                          |

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

**PASSED and ENACTED** this 11<sup>th</sup> day of December, 2002

MAYOR

CLERK





City of Hamilton

BY-LAW NO. 02-368

**Being a by-law to regulate Election Signs in the City of Hamilton**

WHEREAS Council may pass by-laws to regulate signs and other advertising devices under paragraphs 146, 148 and 149 of section 210 of the Municipal Act; and

WHEREAS it is desirable to have one consolidated Election Signs By-law for the City of Hamilton; and

WHEREAS Council may pass by-laws for permitting any person under such conditions as may be agreed upon to place objects in, on, under or over sidewalks and highways under its jurisdiction and for prescribing the terms and conditions upon which such objects are to be placed under paragraph 3 of section 308 of the Municipal Act; and

WHEREAS notice of a proposed by-law regarding election signs was published in a daily newspaper on Saturday, November 16, 2002 and interested persons were given an opportunity to be heard at a public meeting held on December 4, 2002;

NOW THEREFORE, the Council of the City of Hamilton hereby enacts as follows:

**Definitions**

1. In this by-law,

“Candidate” shall have the same meaning as in the *Canada Elections Act*, the *Election Act* (Ontario) or the *Municipal Elections Act, 1996*, as applicable, and shall be deemed to include a person seeking to influence other persons to vote for or against any question or by-law submitted to the electors under section 8 of the *Municipal Elections Act, 1996*;

“Election Sign” means any sign:

- (a) advertising or promoting a candidate in a federal, provincial or municipal election or by-election; or
- (b) that uses words, pictures or graphics or any combination thereof intended to influence persons to vote for or against any question or by-law submitted to the electors under section 8 of the *Municipal Elections Act, 1996*;

“Highway” shall have the same meaning as the *Highway Traffic Act, RSO 1990, c.H.8*, and includes a common and public highway, street, avenue, parkway, driveway, square,



place, bridge, viaduct, or trestle, any part of which is intended for, or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof;

“Mobile Sign” means any sign mounted on a trailer or other free-standing structure which is designed in such a manner so as to facilitate its movement from place to place, but does not include a sign attached to a motorized vehicle where the principle use of the vehicle is the transportation of people, goods or other materials;

“Public Property” means property owned by or under the control of the City of Hamilton or any of its agencies, boards or commissions, including public highways, and shall be deemed to include Public Utility Poles, regardless of whether the poles are owned by or under the control of the City;

“Public Utility Pole” means a pole owned or controlled by an entity which provides a municipal or public utility service, including the City, Bell Canada, Hydro and any subsidiaries thereof.

## **General**

2. (1) No person shall erect, attach, place or display an Election Sign except as permitted by this by-law.

(2) Election Signs shall not be:

(a) illuminated or have rotating parts

(b) attached to trees.

(3) No person shall deface or willfully cause damage to a lawfully-erected Election Sign.

(4) No permits are required by the City for the erection of Election Signs in the City of Hamilton.

(5) No person shall at any time on any election voting day, including those days when advance election voting is held:

(a) place an election sign, or cause an election sign to be placed on any premises used as a polling place for elections; and,

(b) place or cause to be placed an election sign, poster or placard in or on a vehicle that is parked on any premises used as a polling place for elections if the sign, poster or placard is visible from the vehicle.



- (6) No person shall display the City of Hamilton logo, crest or seal in whole or in part, on any Election Sign.

### **Election Signs on Public Property**

3. (1) No person shall at any time place an Election Sign, or cause an Election sign to be placed, in any public park or on any property owned or occupied by the City of Hamilton or any local board.
- (2) Election Signs may be erected or displayed on public highways, except highways upon which pedestrians are prohibited, if:
- (a) the signs are no larger than 1.2 square metres (12.92 square feet) in area and no higher than two (2) metres above ground level;
  - (b) on highways without sidewalks, the signs are not located within 1.5 metres of the curb or the edge of pavement;
  - (c) on highways with sidewalks, the signs are not located between the curb and the sidewalk;
  - (d) the signs are not located within fifteen (15) metres of an intersection or pedestrian crossover;
  - (e) the signs are not located on a median, island or central boulevard installed within the highway;
  - (f) the signs are not attached to any bridge or overpass;
  - (g) the signs do not interfere with the safe operation of vehicular traffic or with the safety of pedestrians;
  - (h) the signs are erected with the consent of the owner or occupant of the abutting property.
- (3) No person shall pull down or remove an Election Sign erected or displayed in accordance with subsection (1) and (2) except with the consent of the Candidate to whom the sign relates or the owner or occupant of the abutting property.
- (4) Despite the provisions of this or any other by-law, no person shall attach an Election Sign to a Public Utility Pole, light standard, any official sign or official sign structure, utility box, bus shelter, planter, bench, waste receptacle, newspaper box, or mail box on a road allowance.
- (5) Subsection (4) does not apply to a bus shelter in respect of which arrangements have been made with the owner of the shelter for the attachment of an Election Sign.





- (6) No person shall place or cause to be placed an Election Sign on a boundary line fence or noise attenuation wall which is located on public property.
- (7) No person shall erect an Election Sign where it obstructs or interferes with a door or fire escape of a building.

#### **Election Signs on Private Property**

- 4. (1) Election Signs may be erected or displayed on private property if:
  - (a) the signs are no larger than 2.97 square metres (32.0 square feet) in area and no higher than 1.83 metres (6.0 feet) above ground level, save and except billboard signs and signs on campaign offices;
  - (b) the signs do not interfere with the safe operation of vehicular traffic or with the safety of pedestrians; and,
  - (c) the signs are erected with the consent of the owner or occupant of the property.
- (2) No person shall pull down or remove a lawfully-erected Election Sign on private property without the consent of the Candidate to whom the sign relates or the owner or occupant of the property upon which the sign is erected.
- (3) That notwithstanding clause 4(1)(a), the use of mobile signs and existing commercial signs be permitted for the purposes of conveying messages advertising or promoting a candidate in a federal, provincial or municipal election or by-election or used to influence persons to vote for or against any question or by-law submitted to the electors under Section 8 of the Municipal Elections Act, 1996, where such signs are permitted by City By-law.

#### **Timing**

- 5. (1) Election Signs shall not be erected or displayed for the municipal election in 2003 until October 16, 2003, being twenty-five (25) days prior to voting day, and in subsequent years, until twenty-eight (28) days prior to voting day.
- (2) Election Signs shall not be erected or displayed for a federal or provincial election until the day the writ of election is issued and, in 2003, shall not be erected in the City of Hamilton on or within 30.48 metres (100 feet) of the perimeter of the race route as described in Schedule "A" to this By-law, for the World Cycling Championships to be held from October 5 to 12, 2003.
- (3) Despite subsections (1) and (2), Elections Signs may be erected on campaign offices once the candidate has filed his/her nomination papers and paid the required filing fee.



- (4) Election Signs shall be removed within seven (7) days after the completion of voting on voting day.

### **Removal of Unlawful Election Signs**

6. (1) If a sign is erected or displayed in violation of this by-law, the appropriate City officials may cause the sign to be removed:
  - (a) immediately without notice if it poses an immediate safety hazard; or,
  - (b) if the Candidate or his/her delegate has not removed the sign within 24 hours after being so notified.
- (2) Any sign that has been removed by the City will be stored until one week after the completion of voting on voting day.
- (3) Candidates, or an agent on their behalf, can reclaim all removed signs for up to one week following voting day, during regular office hours.
- (4) Any sign that has been removed in accordance with subsection (2) and not reclaimed in accordance with subsection (3) may be destroyed or otherwise disposed of by the City without notice and without compensation to the owner of the sign.
- (5) Despite subsection (2), the City shall not be obliged to store signs made entirely of paper or other lightweight material and may destroy these signs immediately upon removal.

### **Offences and Penalties**

7. Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction, is liable to the penalties specified by the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended.

### **Liability for Damages**

8. The provisions of this by-law shall not be construed as relieving or limiting the responsibility or liability of any person erecting or owning any sign for personal injury or property damage resulting from the placing of such signs or resulting from the negligence or willful acts of such person, or his or her agents or employees, in the construction, erection, maintenance, repair or removal of any such signs.

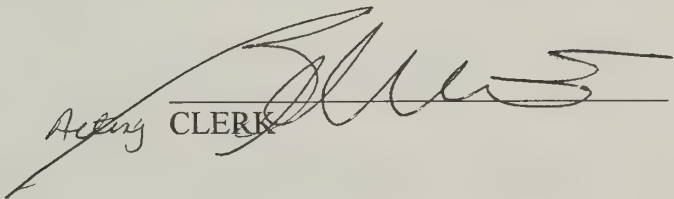


**Precedence over Election Sign Provisions in other By-laws**

9. In the event of a conflict between this By-law and the provisions of any other By-law regulating signs, including Election Signs, the provisions of this By-law prevail.

**ENACTED AND PASSED** this 11<sup>th</sup> day of December, A.D. 2002.

  
MAYOR

  
Acting CLERK





SCHEDULE "A"

The race route for the World Cycling Championships to be held in the City of Hamilton from October 5 to October 12, 2003, shall consist of the road area comprising the following 20.8 kilometre circuit:

- (i) commencing with that portion of Main Street West running from James Street west to Queen Street,
- (ii) from there, south along that portion of Queen Street until Beckett Drive;
- (iii) from there, up the escarpment face of the Mountain until Garth Street,
- (iv) from there, south along Garth Street until the intersection of Garth Street, Fennell Avenue and Scenic Drive;
- (v) from there west and then south along Scenic Drive until Mohawk Road, following the route of Scenic Drive without deviation;
- (vi) from there, east along Mohawk Road until Garth Street,
- (vii) from there, north along Garth Street until Fennell Avenue;
- (viii) from there, east along Fennell Avenue until Upper James Street,
- (ix) from there, north along Upper James Street, until the Claremont Access,
- (x) from there, east along the Claremont Access until Victoria Avenue South,
- (xi) from there, north along Victoria Avenue South until Main Street East,
- (xii) from there, west along Main Street East until Wellington Street,
- (xiii) from there, south along Wellington Street South until the access ramp of the Claremont Access
- (xiv) from there, onto that access ramp, and then up the Claremont Access;
- (xv) from there, along the West 5<sup>th</sup> Street exit ramp to West 5<sup>th</sup> Street;
- (xvi) from there, north on West 5<sup>th</sup> Street to James Mountain Road;



- (xvii) from there, north along James Mountain Road to James Street South;
- (xviii) from there, north along James Street South until Main Street, then turning west to complete the circuit.



Bill No. 369

CITY OF HAMILTON  
BY-LAW NO. 02- 369  
To Amend By-law No. 01-215  
Being a By-law To Regulate Traffic

**WHEREAS** Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

**AND WHEREAS** Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

**AND WHEREAS** on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

**AND WHEREAS** it is necessary to amend By-law No. 01-215;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

|             |                         |                         |     |
|-------------|-------------------------|-------------------------|-----|
| "Springside | 150m north of Kirkfield | 230m south of Kirkfield | 40" |
|             | Road                    | Road                    |     |

2. Schedule 10 (No Left Turns) of By-law No. 01-215, as amended, is hereby further amended by deleting from Section "G" thereof the following item, namely:

|        |          |            |                         |
|--------|----------|------------|-------------------------|
| "Rymal | Westerly | Springside | 8:00 a.m. – 10:00 a.m." |
|        |          |            | 3:00 p.m. to 6:00 p.m.  |
|        |          |            | Monday to Friday        |

3. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.



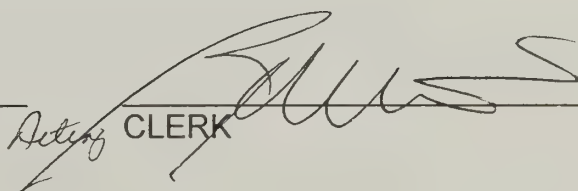


To Amend By-law No. 01-215, as amended,  
Being a By-law to Regulate Traffic

4. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 11<sup>th</sup> day of December, 2002

  
MAYOR

  
Acting CLERK



CITY OF HAMILTON

BY-LAW NO. 02-370

**A By-law to Amend the Regional Store Hours By-law,  
being By-law No.R79-202, as amended**

**WHEREAS** subsection 47(1) of the Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1990, c. R.12, makes the provisions of section 214 of the Municipal Act, R.S.O. 1990, c. M.45, applicable to the former Regional Corporation, with necessary modifications; and,

**WHEREAS** the Council of the former Regional Municipality of Hamilton-Wentworth on December 27, 1979, enacted By-law R79-202, to regulate the hours of closing of retail shops in the former Regional Area; and,

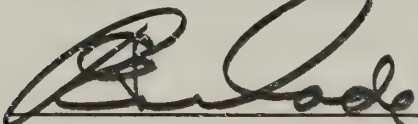
**WHEREAS** on November 27, 2002, the Council of the City of Hamilton, a body corporate constituted by subsection 2(1) of the City of Hamilton Act, 1999, S.O. 1999, c. 25, Sch. D, enacted By-law No. 02-344 to permit all classes of shops to remain open until twelve o'clock midnight on every Friday and Saturday in the period of thirty days prior to Christmas in each year; and,

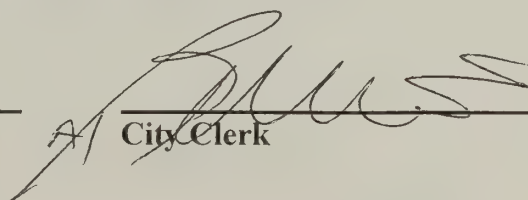
**WHEREAS** the Council of the City of Hamilton has given further consideration to the implications of permitting extended hours for the sale of retail goods and services in the period prior to the Christmas holiday;

**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Regional Municipality of Hamilton-Wentworth By-law No. R79-202, as amended, is further amended by repealing subsection 2(2).
2. This By-law comes into force on December 11 , 2002.

**ENACTED AND PASSED** this 11<sup>th</sup> day of December, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk



THE CITY OF HAMILTON

BY-LAW NO. 02-371

To Confirm the Proceedings of City Council at its meeting held on December 11, 2002

**THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:**

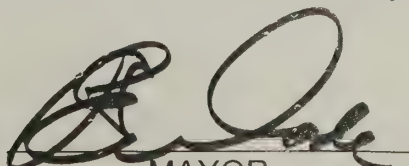
1. The Action of City Council at its meeting held on the 11<sup>th</sup> day of December, 2002 in respect of each recommendation contained in:

Report 02-039(a) of the Committee of the Whole,  
Report 02-039(b) of the Committee of the Whole,  
Report 02-039(c) of the Committee of the Whole,  
Report 02-039(d) of the Committee of the Whole,  
Report 02-039(e) of the Committee of the Whole,  
Report 02-042 of the Committee of the Whole,  
Report 02-043 of the Committee of the Whole,  
Report 02-039 of the Hearings Sub-Committee,  
Report 02-040 of the Hearings Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 11<sup>th</sup> day of December, 2002

  
MAYOR

  
CITY CLERK





**Authority:** Item 12, Committee of the Whole  
Report 01-033 (PLC-02-19)  
CM: October 16, 2001

**Bill No. 372**

**CITY OF HAMILTON**

**BY-LAW NO. 02-372**

**To Amend By-law No. 02-355 Removal of Part-Lot Control within a Portion of  
"Meadowlands Place"- Registered Plan 62M-855**

**WHEREAS** on the 11<sup>th</sup> day of December 2002 Council of the City of Hamilton enacted By-law No. 02-355 pursuant to a Report Number PLC-02-19 of the Planning and Development Department;

**AND WHEREAS** it is expedient to correct an editorial error made in the text of that By-law.

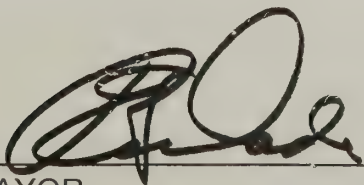
**NOW THEREFORE** the Council of the City of Hamilton enacts as follows:

1. Paragraph 1 of By-law No. 02-355 being a By-law to *Remove Part-Lot Control within a Portion of "Meadowlands Place" - Registered Plan 62M-855* is hereby amended by adding the words "Part of" to the description of the property, such that paragraph 1 reads:

Subsection 5 of Section 50 of the *Planning Act*, for the purpose of permitting the sale of the following land into seven (7) residential parcels for their development as street townhouses residential lots, shall not apply to lands within the portions of registered plan of subdivision that are designated as follows:

*Part of Block 5, Registered Plan 62M-855, in the Former Town of Ancaster."*

**PASSED and ENACTED** this 17<sup>th</sup> day of December, 2002.



MAYOR



CLERK



**BY-LAW NO. 02-373**

**To Implement the 2002 User Fees for Laboratory Services**

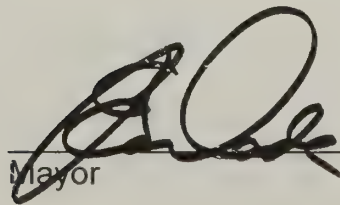
WHEREAS pursuant to Section 220.1 of the Municipal Act, R.S.O. 2000, c. M.45, as amended, the City of Hamilton may pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of it;

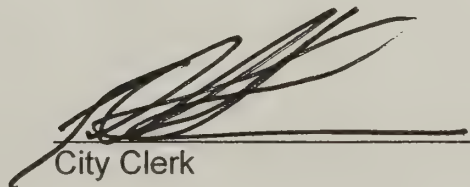
AND WHEREAS on the 29<sup>th</sup> day of January, 2002, the Council of the City of Hamilton did approve of Item 1 of Report 02-004 of the Committee of the Whole and did authorize the 2002 user fees set out herein for laboratory services.

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. That the fees in Schedule "A" to this By-law be imposed for laboratory services provided by the City of Hamilton as specified therein.
2. That this By-law shall be deemed to have come into force and take effect as of January 23, 2002.

PASSED AND ENACTED this 17th day of December, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

Approved  
and  
for  
Services



SCHEDULE "A"

SCHEDULE OF FEES FOR LABORATORY SERVICES

| Service                                               | Fee              |
|-------------------------------------------------------|------------------|
| <i>Inorganic Tests</i>                                |                  |
| pH Test                                               | \$ 8.41 plus GST |
| Conductivity                                          | \$ 8.41 plus GST |
| Turbidity                                             | \$ 8.41 plus GST |
| Ammonia                                               | \$17.76 plus GST |
| Total Kjeldhal Nitrogen (TKN)                         | \$23.36 plus GST |
| Nitrate, Nitrite                                      | \$17.76 plus GST |
| Phosphorous Total                                     | \$23.36 plus GST |
| Reactive Phosphorous                                  | \$17.76 plus GST |
| Fluoride                                              | \$17.76 plus GST |
| Chloride                                              | \$17.76 plus GST |
| Sulphate                                              | \$17.76 plus GST |
| Total Suspended Solids (TSS)                          | \$17.76 plus GST |
| Total Volatile Solids                                 | \$17.76 plus GST |
| Chemical Oxygen Demand (COD)                          | \$17.76 plus GST |
| Biochemical Oxygen Demand (BOD)                       | \$33.64 plus GST |
| Phenolics                                             | \$25.23 plus GST |
| Total Cyanide                                         | \$25.23 plus GST |
| Other non-listed inorganic tests                      | \$17.76 plus GST |
| Chlorine                                              | \$ 8.41 plus GST |
| Ion Chromatograph Anion Scan                          | \$41.12 plus GST |
| Dissolved Organic Carbon                              | \$25.23 plus GST |
| <i>Water Quality – Laboratory Microbiology Tests:</i> |                  |
| Total Coliform                                        | \$11.21 plus GST |
| E. coli                                               | \$11.21 plus GST |
| Total Oil & Grease                                    | \$39.25 plus GST |
| Total Oil & Grease Vegetable & Mineral                | \$60.75 plus GST |
| <i>Metals:</i>                                        |                  |
| Hydride Generation                                    | \$28.04 plus GST |
| Graphite Furnace                                      | \$25.23 plus GST |
| Mercury                                               | \$37.38 plus GST |
| ICP Scan ( 25 elements)                               | \$59.81 plus GST |
| <i>Non-routine tests by:</i>                          |                  |
| Technician (per hour)                                 | \$55.89 plus GST |
| Technologist (per hour)                               | \$56.78 plus GST |
| Chemist (per hour)                                    | \$82.01 plus GST |





Schedule "A" continued

|                                                                       |                   |
|-----------------------------------------------------------------------|-------------------|
| <i>Organic Tests:</i>                                                 |                   |
| Semi-Volatiles – Full Scan plus Base Neutral Targets (includes PAH's) | \$400.00 plus GST |
| Volatiles – Full Scan plus Chlorinated and Aromatic Targets           | \$210.28 plus GST |
| Oil ID                                                                | \$131.78 plus GST |
| BTEX                                                                  | \$112.15 plus GST |
| Trihalomethanes                                                       | \$ 95.33 plus GST |
| PCB's                                                                 | \$100.00 plus GST |
| Cold and Hot Extractable Hydrocarbons plus BTEX                       | \$200.00 plus GST |



**CITY OF HAMILTON**

**BY-LAW NO. 02-374**

**To Amend the Sewer Use By-law No. R89-049, as amended, and Implement  
the 2002 User Fees and Policies and Fees Respecting the Discharge of  
Hauled Sewage**

WHEREAS on April 4, 1989, the Council of The Regional Municipality of Hamilton-Wentworth passed and enacted Regional By-law R89-049, known and referred to as "The Sewer Use By-law";

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", The Regional Municipality of Hamilton-Wentworth was dissolved on January 1, 2001 and the City of Hamilton stands in the place of The Regional Municipality of Hamilton-Wentworth for all purposes;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", every by-law of an old municipality, such as the former Regional Municipality of Hamilton-Wentworth, that is in force on December 31, 2000 shall be deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;

AND WHEREAS pursuant to section 220.1 of the Municipal Act, R.S.O. 1990, c.M.45, as amended, a municipality may pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS on the 11<sup>th</sup> day of December 2001, the Council of the City of Hamilton did approve of Item 6 of Report 01-034 of the Hearings Sub-Committee and did thereby authorize certain policies and fees respecting the discharge of hauled sewage;

AND WHEREAS on the 29<sup>th</sup> day of January, 2002, the Council of the City of Hamilton did approve of Item 1 of Report 02-004 of the Committee of the Whole and did authorize the 2002 user fees set out herein.

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. That By-law No. R89-049, as amended, be further amended by striking out every reference in the By-law to "Commissioner of Environment" and



by substituting in each case "General Manager of Transportation, Operations and Environment".

2. That subsection 1(h) of By-law No. R89-049, as amended, be repealed and the following substituted therefor:
  - (h) "General Manager of Transportation, Operations and Environment" means the General Manager of Transportation, Operations and Environment for the City of Hamilton or the person duly authorized to act in his or her stead;
3. That subsection 1(q) of By-law No. R89-049, as amended, be repealed and that the following be substituted therefor:
  - (q) "hailed sewage" means waste removed from a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet, a sewage holding tank, any hauled sewage defined under Ontario Regulation 347 made under the Environmental Protection Act, R.S.O. 1990, c. E.19, as may be amended, repealed or replaced from time to time, or any other sewage system of a type regulated under Part 8 of the building code made under the Building Code Act, 1992, S.O. 1992, c. 23, as may be amended, repealed or replaced from time to time.
4. That subsection 4(7) of By-law No. R89-049, as amended, be repealed and the following substituted therefor:
  - 4(7) Subclause 4(1)2.(r) does not apply to prevent the discharge of hauled sewage when:
    - (a) the carrier of the hauled sewage is a waste transportation system operating under a licence issued under the Environmental Protection Act, R.S.O. 1990, c. E.19, and regulations thereunder, as may be amended, repealed or replaced from time to time;
    - (b) the carrier has a current annual permit from the City of Hamilton to discharge the hauled sewage in the form set out in Schedule B to this By-law;
    - (c) the discharge occurs only at the times and locations set out in Schedule C to this By-law;
    - (d) the carrier pays the fees as set forth in Schedule D to this By-law. Hauled sewage shall only be considered to be compliant where the generator of the hauled sewage has





provided the General Manager of Transportation, Operations and Environment or designate with prior laboratory analytical data, satisfactory to the General Manager of Transportation, Operations and Environment or designate, indicating that the hauled sewage is in compliance with the parameters contained in this By-law. Hauled sewage shall only be considered to be non-compliant where the said prior analytical data indicates that the hauled sewage does not comply with one or more of the following treatable parameters: biochemical oxygen demand, oil and grease (animal/vegetable), phenols, suspended solids, phosphorus and total Kjeldahl Nitrogen;

- (e) the hauled sewage complies with all of the parameters contained in this By-law, except for one or more of the following treatable parameters: biochemical oxygen demand, oil and grease (animal/vegetable), phenols, suspended solids, phosphorus and total Kjeldahl Nitrogen. If the foregoing is not the case, then in addition to any other actions that the City may take under this By-law, the General Manager of Transportation, Operations and Environment or designate may deny access to the carrier or the generator of the hauled sewage, or both, to the City's wastewater treatment plants for up to 14 calendar days. Thereafter, the said carrier or generator, or both, may only discharge the hauled sewage in accordance with the provisions of this By-law.
- (f) the carrier or the generator of the hauled sewage has accurately represented the nature of the hauled sewage, including without limitation the quantity or quality of the hauled sewage, or the source of the hauled sewage, and has otherwise complied with this By-law. If the foregoing is not the case, then in addition to any other actions that the City may take under this By-law, the General Manager of Transportation, Operations and Environment or designate may deny access to the carrier or the generator of the hauled sewage, or both, to the City's wastewater treatment plants for up to 14 calendar days. Thereafter, the said carrier or generator, or both, may only discharge the hauled sewage in accordance with the provisions of this By-law.

5. That By-law No. R89-049, as amended, be further amended by adding the following subsections 11(11) and (12):

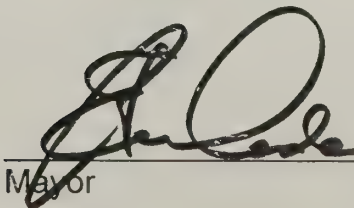


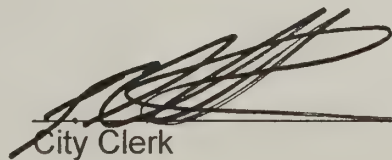
11(11) The fees and charges imposed in this By-law shall constitute a debt of the person to the City of Hamilton and if the debt, or any portion thereof, remains unpaid after the due date established in this By-law or an Agreement entered into pursuant to this By-law, the unpaid amount may be added to the tax roll for any real property in the City of Hamilton owned by the person responsible for paying the fees and charges and collected in like manner as municipal taxes.

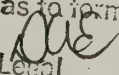
11(12) If a court of competent jurisdiction declares a part or the whole of any provision of this By-law to be invalid or of no force and effect, the provision or part is deemed severable from this By-law, and the remainder shall survive and be applied and enforced in accordance with its terms to the extent possible under the law.

6. That Schedule "C" of By-law No. R89-049, as amended, be further amended by deleting section 3 of that Schedule in its entirety.
7. That Schedule "D" of By-law No. R89-049, as amended, be repealed and that Schedule "D" attached to this By-law be substituted therefor.
8. That this By-law shall be deemed to have come into force and take effect as of January 1, 2002.
9. In all other respects, the contents of By-law No. R89-049, as amended, are hereby confirmed as unchanged.

PASSED AND ENACTED this 17th day of December, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

Approved  
as to form  
  
Legal  
Services



## SCHEDULE D

### SCHEDULE OF FEES

EFFECTIVE JANUARY 1<sup>ST</sup>, 2002

(REFERRED TO IN SECTIONS 4, 7 AND 8)

1. For an annual fee permit to discharge hauled sewage \$ 50.00\*
2. Permit refund service charge – Sewers \$ 20.00\*
3. (a) Discharge fees for hauled sewage generated inside the City of Hamilton

| Volume of Hauled Sewage Vehicle                                                    |                                                          | Fee for discharge – Compliant | Fee for discharge – Non-Compliant |
|------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------------------|-----------------------------------|
| Up to 1000 imperial gallons or any part thereof                                    | Up to 4.45 m3 or any part thereof                        | \$ 37.40*                     | \$37.40*                          |
| Greater than 1000 imperial gallons but less than or equal to 3500 imperial gallons | Greater than 4.45 m3 but less than or equal to 15.59 m3  | \$ 37.40*                     | \$74.80*                          |
| Greater than 3500 imperial gallons but less than or equal to 5000 imperial gallons | Greater than 15.59 m3 but less than or equal to 22.27 m3 | \$ 74.80*                     | \$112.20*                         |
| Greater than 5000 imperial gallons but less than or equal to 8000 imperial gallons | Greater than 22.27 m3 but less than or equal to 35.64 m3 | \$112.20*                     | \$187.00*                         |





Schedule "D" continued

(b) Discharge fees for hauled sewage generated outside the City of Hamilton

| Volume of Hauled Sewage Vehicle                                                    |                                                                                  | Fee for all discharges from outside the City - compliant and non-compliant |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| Up to 1000 imperial gallons or any part thereof                                    | Up to 4.45 m <sup>3</sup> or any part thereof                                    | \$ 74.80*                                                                  |
| Greater than 1000 imperial gallons but less than or equal to 3500 imperial gallons | Greater than 4.45 m <sup>3</sup> but less than or equal to 15.59 m <sup>3</sup>  | \$149.60*                                                                  |
| Greater than 3500 imperial gallons but less than or equal to 5000 imperial gallons | Greater than 15.59 m <sup>3</sup> but less than or equal to 22.27 m <sup>3</sup> | \$224.40*                                                                  |
| Greater than 5000 imperial gallons but less than or equal to 8000 imperial gallons | Greater than 22.27 m <sup>3</sup> but less than or equal to 35.64 m <sup>3</sup> | \$374.00*                                                                  |

(c) Holding Tanks of Recreational Vehicles \$5.00\*

4. Overstrength Discharge Fees and Compliance Program Fees

| Parameter                  | Fee (cents/kg) |
|----------------------------|----------------|
| B. O. D.                   | 59.659*        |
| Suspended Solids           | 47.727*        |
| Phenolic Compounds         | 59.659*        |
| Solvent Extractable Matter | 50.114*        |
| Kjeldahl Nitrogen          | 185.276*       |
| Phosphorous                | 127.840*       |



Schedule "D" continued

- |    |                                                                            |           |
|----|----------------------------------------------------------------------------|-----------|
| 5. | Administrative Fees for Sewer Use Agreements (minimum charges per quarter) |           |
|    | (a) Overstrength Discharge Agreement                                       | \$250.00* |
|    | (b) Sanitary Sewer Surcharge Agreement                                     | \$250.00* |
| 6. | Information Requests                                                       | \$115.00* |

\*includes G.S.T.



## CITY OF HAMILTON

### BY-LAW NO. 02-375

#### **To Amend the Sewer Use By-law No. R89-049, as amended, and Implement the 2003 User Fees**

WHEREAS on April 4, 1989, the Council of The Regional Municipality of Hamilton-Wentworth passed and enacted Regional By-law R89-049, known and referred to as "The Sewer Use By-law";

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", The Regional Municipality of Hamilton-Wentworth was dissolved on January 1, 2001 and the City of Hamilton stands in the place of The Regional Municipality of Hamilton-Wentworth for all purposes;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", every by-law of an old municipality, such as the former Regional Municipality of Hamilton-Wentworth, that is in force on December 31, 2000 shall be deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;

AND WHEREAS pursuant to section 220.1 of the Municipal Act, R.S.O. 1990, c.M.45, as amended, a municipality may pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS on the 11<sup>th</sup> day of December, 2002, the Council of the City of Hamilton did approve of Item 8 of Report 02-040 of the Hearings Sub-Committee and did authorize the 2003 user fees set out herein.

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

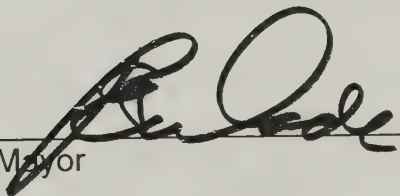
1. That Schedule "D" of By-law No. R89-049, as amended, be repealed and that Schedule "D" attached to this By-law be substituted therefor.
2. That this By-law shall come into force and take effect as of January 1, 2003.

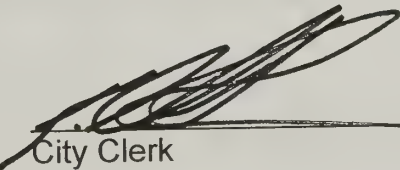




3. In all other respects, the contents of By-law No. R89-049, as amended, are hereby confirmed as unchanged.

PASSED AND ENACTED this 17th day of December, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

Approved  
as to form  
  
Legal  
Services



## SCHEDULE D

### SCHEDULE OF FEES

EFFECTIVE JANUARY 1<sup>ST</sup>, 2003  
(REFERRED TO IN SECTIONS 4, 7 AND 8)

1. For an annual fee permit to discharge hauled sewage \$ 50.00\*
2. Permit refund service charge – Sewers \$ 20.00\*
3. (a) Discharge fees for hauled sewage generated inside the City of Hamilton

| Volume of Hauled Sewage Vehicle                                                     |                                                          | Fee for discharge – Compliant | Fee for discharge – Non-Compliant |
|-------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------------------|-----------------------------------|
| Up to 1000 imperial gallons or any part thereof                                     | Up to 4.45 m3 or any part thereof                        | \$ 38.15*                     | \$38.15*                          |
| Greater than 1000 imperial gallons but less than or equal to 3500 imperial gallons  | Greater than 4.45 m3 but less than or equal to 15.59 m3  | \$ 38.15*                     | \$76.30*                          |
| Greater than 3500 imperial gallons but less than or equal to 5000 imperial gallons  | Greater than 15.59 m3 but less than or equal to 22.27 m3 | \$ 76.30*                     | \$114.45*                         |
| Greater than 5000 imperial gallons but less than or equal to 8000 imperial gallons  | Greater than 22.27 m3 but less than or equal to 35.64 m3 | \$114.45*                     | \$190.75*                         |
| Greater than 8000 imperial gallons but less than or equal to 10000 imperial gallons | Greater than 36.3 m3 but less than or equal to 45.43 m3  | \$152.60*                     | \$228.90*                         |



(b) Discharge fees for hauled sewage generated outside the City of Hamilton

| Volume of Hauled Sewage Vehicle                                                     |                                                                                  | Fee for all discharges from outside the City - compliant and non-compliant |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| Up to 1000 imperial gallons or any part thereof                                     | Up to 4.45 m <sup>3</sup> or any part thereof                                    | \$ 76.30*                                                                  |
| Greater than 1000 imperial gallons but less than or equal to 3500 imperial gallons  | Greater than 4.45 m <sup>3</sup> but less than or equal to 15.59 m <sup>3</sup>  | \$152.60*                                                                  |
| Greater than 3500 imperial gallons but less than or equal to 5000 imperial gallons  | Greater than 15.59 m <sup>3</sup> but less than or equal to 22.27 m <sup>3</sup> | \$228.90*                                                                  |
| Greater than 5000 imperial gallons but less than or equal to 8000 imperial gallons  | Greater than 22.27 m <sup>3</sup> but less than or equal to 35.64 m <sup>3</sup> | \$381.50*                                                                  |
| Greater than 8000 imperial gallons but less than or equal to 10000 imperial gallons | Greater than 36.3 m <sup>3</sup> but less than or equal to 45.43 m <sup>3</sup>  | \$457.80*                                                                  |

(c) Holding Tanks of Recreational Vehicles \$5.00\*

4. Overstrength Discharge Fees and Compliance Program Fees

| Parameter          | Fee (cents/kg) |
|--------------------|----------------|
| B. O. D.           | 60.85*         |
| Suspended Solids   | 48.68*         |
| Phenolic Compounds | 60.85*         |





|                            |         |
|----------------------------|---------|
| Solvent Extractable Matter | 51.11*  |
| Kjeldahl Nitrogen          | 185.30* |
| Phosphorous                | 130.36* |

5. Administrative Fees for Sewer Use Agreements (minimum charges per quarter)

(a) Overstrength Discharge Agreement \$250.00\*

(b) Sanitary Sewer Surcharge Agreement \$250.00\*

6. Information Requests \$115.00\*

\*includes GST



## CITY OF HAMILTON

### BY-LAW NO. 02-376

#### **To Amend the Sewer and Drain By-law No. R79-172, as amended, and Implement the 2002 User Fees**

WHEREAS on November 6, 1979, the Council of The Regional Municipality of Hamilton-Wentworth passed and enacted Regional By-law R79-172, known and referred to as "The Regional Sewer and Drain by-law";

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", The Regional Municipality of Hamilton-Wentworth was dissolved on January 1, 2001 and the City of Hamilton stands in the place of The Regional Municipality of Hamilton-Wentworth for all purposes;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", every by-law of an old municipality, such as the former Regional Municipality of Hamilton-Wentworth, that is in force on December 31, 2000 shall be deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;

AND WHEREAS on the 29<sup>th</sup> day of January, 2002, the Council of the City of Hamilton did approve of Item 1 of Report 02-004 of the Committee of the Whole and did authorize the 2002 user fees set out herein.

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. That Schedule "C" to By-law No. R79-172, as amended, is hereby repealed and that Schedule "C" attached to this By-law be substituted therefor.
2. That Clause 5(1)(b) of By-law No. R79-172, as amended, is hereby repealed and the following substituted therefor:

5(1)(b)      Upon the execution and registration on title of an Agreement in the form set forth in Schedule "A" to this By-law, and the owner of the land is to pay to the City

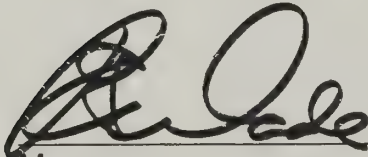
- (i)      One Thousand Seven Hundred and Thirty-Five Dollars (\$1,735.00) where either a sanitary or storm sewer is to be connected; and

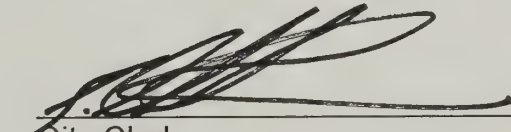


- (ii) Two Thousand Two Hundred and Ninety dollars (\$2,290.00) where a sanitary and storm sewer is to be connected.

3. That this By-law shall be deemed to have come into force and take effect as of January 23, 2002.
4. In all other respects, the contents of By-law No. R79-172, as amended, are hereby confirmed as unchanged.

PASSED AND ENACTED this 17th day of December, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

Approved  
as to form  
  
Legal  
Services





SCHEDULE "C"

SCHEDULE OF FEES

|     |                                                                                                           |             |
|-----|-----------------------------------------------------------------------------------------------------------|-------------|
| 1.  | Basic Fee for any sewer permit                                                                            | \$50.00*    |
|     | In addition to the basic fee described in section 1 of this Schedule "C", the following fees are payable: |             |
| (a) | for a sanitary yard sewer and a private drain, or for either one individually                             | \$21.00*    |
| (b) | for a storm water yard sewer and a private drain, or for either one individually                          | \$21.00*    |
| (c) | for a lateral connection to a yard sewer                                                                  | \$21.00*    |
| (d) | for a catchbasin including connection to a storm water yard sewer                                         | \$21.00*    |
| (e) | inspect storm sewer                                                                                       | \$21.00*    |
| (f) | inspect sanitary sewer                                                                                    | \$21.00*    |
| 2.  | Processing of Special Sewer Agreements                                                                    | \$395.00*   |
| 3.  | Special Sanitary/Storm Sewer Agreements (Clause 5(1)(b)(i) of the By-law)                                 | \$1,735.00* |
| 4.  | Special Dual Sewer Agreements (Clause 5(1)(b)(ii) of the By-law)                                          | \$2,290.00* |
| 5.  | Discharge of Special Sewer Agreements                                                                     | \$210.00*   |
| 6.  | Sanitary Yard Sewer & Private Drain Inspection (weekend)                                                  | \$210.00*   |
| 7.  | Expired Sewer Permit Extension (Renewal)                                                                  | \$31.50*    |



Schedule "C" continued

|     |                                                                                                                       |                              |
|-----|-----------------------------------------------------------------------------------------------------------------------|------------------------------|
| 8.  | Service Charge for Missed Appointments<br>and Inspections Not Ready and completed followup<br>inspection (\$47/visit) | \$94.00*                     |
| 9.  | Rental Rate for Landscaping Lease (Per Annum)                                                                         | Case Dependent<br>No Set Fee |
| 10. | Status of Special Sewer Agreements – No Field Inspection                                                              | \$115/00*                    |
| 11. | Status of Special Sewer Agreements – Field Inspection                                                                 | \$162.00*                    |

\* GST exempt.



## CITY OF HAMILTON

### BY-LAW NO. 02-377

#### **To Amend the Waterworks By-law No. R84-026, as amended, and Implement the Universal Water Metering Program, Water Rates and Fees for 2002 and Policies For Public and Private Water Filling Stations**

WHEREAS on the 20<sup>th</sup> day of March, 1984, the Council of The Regional Municipality of Hamilton - Wentworth enacted By-law No. R84-026, being a By-law respecting the management and maintenance of the waterworks system of The Regional Municipality of Hamilton - Wentworth and the establishment of water rates and charges;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", The Regional Municipality of Hamilton-Wentworth was dissolved on January 1, 2001 and the City of Hamilton stands in the place of The Regional Municipality of Hamilton-Wentworth for all purposes;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", every by-law of an old municipality, such as the former Regional Municipality of Hamilton-Wentworth, that is in force on December 31, 2000 shall be deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;

AND WHEREAS on the 20<sup>th</sup> day of March, 2001, the Council of the City of Hamilton did authorize that the City of Hamilton enter into an agreement with Hamilton Hydro Inc. for the provision of metered water and wastewater billing, reading and collection services to the City of Hamilton;

AND WHEREAS on the 1<sup>st</sup> day of May, 2001 the Council of the City of Hamilton did authorize that By-law R84-026, as amended, be further amended such that all properties serviced by the City of Hamilton waterworks system will be metered by June 30, 2004, that the then-existing Water Demand Control Strategy and volunteer meter installation programs be discontinued, and that the Water Service Replacement Program be modified as set out herein;

AND WHEREAS on the 16<sup>th</sup> day of October, 2001 the Council of the City of Hamilton did authorize the award of the Universal Metering Contract, TOE 00-37 (W) for the installation of water meters in all remaining unmetered residential properties and on the 11<sup>th</sup> day of December, 2001 did authorize the assignment of said Universal Metering Contract;





AND WHEREAS on the 23<sup>rd</sup> day of January, 2002, the Council of the City of Hamilton did authorize the 2002 water rates and fees set out herein;

AND WHEREAS on the 6<sup>th</sup> day of March, 2002, the Council of the City of Hamilton did authorize that By-law R84-026, as amended, be further amended to reflect the City's policies with respect to public and private water filling stations.

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. That The Regional Waterworks By-law No. R84-026, as amended, (the "By-law") be further amended by striking out every reference in the By-law to "Area Municipality" and by substituting in each case "City of Hamilton".
2. That the By-law be amended by striking out every reference in the By-law to "Commissioner of Environment" and by substituting in each case "General Manager of Transportation, Operations and Environment".
3. That the By-law be amended by striking out every reference in the By-law to the "Commissioner of Legal Services" and by substituting in each case "City Solicitor".
4. That the By-law be amended by striking out every reference in the By-law to the "Commissioner of Finance" and by substituting in each case "General Manager of Finance and Corporate Services".
5. That the By-law be amended by striking out every reference in the By-law to "Region" or "Regional Area" and by substituting in each case "City of Hamilton".
6. That the By-law be amended by striking out every reference in the By-law to "Regional Corporation" or "Regional Municipality" and by substituting in each case "City of Hamilton".
7. That the By-law be amended by striking out every reference in the By-law to "Regional Council" and by substituting in each case "City Council".
8. That sub-section 1(a) of the By-law be repealed and the following substituted therefor:
  - (a) "City of Hamilton" means the City of Hamilton as established on January 1, 2001 under the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C" and its geographic area.
9. That sub-sections 1(d), (e) and (f) of the By-law be repealed and the following substituted therefor:



- (d) "consumer" means any owner, tenant or lessee or occupier of lands who may have occasion to make use of any water service connection to a property which he, she or it occupies in the course of his, her or its residence or in the operation of a business.
  - (e) "General Manager of Finance and Corporate Services" means the General Manager of Finance and Corporate Services for the City of Hamilton or the person duly authorized to act in his or her stead.
  - (f) "General Manager of Transportation, Operations and Environment" means the General Manager of Transportation, Operations and Environment for the City of Hamilton or the person duly authorized to act in his or her stead.
10. That sub-section 1(m) of the By-law be repealed and the following substituted therefor:
- (m) "Private Water Filling Stations" means privately owned and operated water filling stations.
11. That sub-section 1(n) of the By-law be repealed and the following substituted therefor:
- (n) "Public Water Filling Stations" means the water filling stations identified in Schedule "C" to this By-law which are owned by the City of Hamilton.
12. That sub-section 1(o) of the By-law be repealed and the following substituted therefor:
- (o) "City Council" means the Council of the City of Hamilton.
13. That sub-section 1(p) of the By-law be repealed and the following substituted therefor:
- (p) "City Solicitor" means the City Solicitor for the City of Hamilton or such person as is duly authorized to act in his or her stead.
14. That the following be added as sub-section 1(u) to the By-law and that the current sub-sections (u) and (v) be relettered as (v) and (w) respectively:
- (u) "Universal Metering Program" means the City of Hamilton's program to supply and install new water meters, remote water meter reading receptacles and meter seals on all unmetered properties within the City of Hamilton by June 30, 2004.



15. That the following sub-section 4(1a) be added immediately after the existing sub-section 4(1) of the By-law:

4(1a) The General Manager of Transportation, Operations and Environment may issue a permit for a property to have a separate water service connection to the City's waterworks system for establishing a Private Water Filling Station subject to:

- (i) the same terms and conditions as are applied to other properties requesting a water service connection;
- (ii) all necessary zoning, servicing, testing, reporting and technical requirements specific to a Private Water Filling Station operation, in the opinion of the General Manager of Transportation, Operations and Environment; and
- (iii) the payment of all necessary fees as set out in clause 12(7)(b) of this By-law.

16. That sub-section 4 (13) (v) of the By-law be repealed and the following substituted therefor:

(13) (v) installs a water meter, where the Owner has obtained a water meter permit from the City on or before December 21, 2001, or if no such permit has been obtained, pays the City for the installation of a water meter at the fee set forth in Schedule "E" to this By-law; and

17. That the By-law be amended by adding the following sub-section 5(4):

(4) For the purposes of sub-section (1) of this section, and except where a person has obtained a water meter permit from the City on or before December 21, 2001 on a voluntary basis or for new house construction, the installation of water meters, seals, and remote reading devices will be performed by only the General Manager of Transportation, Operations and Environment or his/her designate, or by a contractor authorized by the City of Hamilton.

18. That clause 8(1)(c) of the By-law be repealed and the following substituted therefor:

(c) on all legally established income producing rental properties with verification from the City, within six (6) months of notification by the City of the requirement of installing a water meter, only where a water meter permit was obtained by the Owner on or before December 21, 2001. In such situations, the Owner or Occupant shall permit the City to install the water meter and remote reading device;







19. That clause 8(1)(d) of the By-law be amended by deleting the first phrase "on all non-metered residential properties being sold within six (6) months after the change of ownership" and by substituting the following:
- "on all non-metered residential properties being sold within six (6) months after the change of ownership, only where a water meter permit was obtained by the Owner on or before December 21, 2001. In such situations, the Owner or Occupant shall permit the City to install the water meter and remote reading device."
20. That clause 8(1)(e) of the By-law is hereby repealed.
21. That clause 8(1)(f) of the By-law be repealed and the following substituted therefor:
- (f) on all unmetered properties serviced by the City of Hamilton's waterworks system by June 2004 under the City of Hamilton's Universal Metering Program. All such water meter and remote reading devices will be installed by the City.
22. That sub-section 8(9) of the By-law be amended by deleting the words "Section 1(c)" and substituting "Section 1" therefor, and by adding the following to the end of that sub-section:
- "Where a water meter permit was obtained for a premises on or before December 21, 2001 on a voluntary basis or for new house construction, the Owner has one year from the date of the permit to install the water meter and remote reading device to the satisfaction of the General Manager of Transportation, Operations and Environment or to arrange for the City to install the water meter and remote reading device."
23. That clause 12(3)(a) of the By-law be amended by deleting the words "Section A of" in the second line of that clause.
24. That clause 12(3)(b) of the By-law be amended by deleting the words "Section B of" in the second and third lines of that clause.
25. That sub-section 12(4) of the By-law be repealed and the following sub-section 12(4) substituted therefor:
- (4) The Owners and Occupants of all lands with a metered service other than a residential service described in sub-section (3) of this section are to pay the Commercial/Institutional/Industrial meter rates as set out in Schedule "G" to this By-law.



26. That clauses 12 (5)(a) and (b) of the said By-law be repealed, the following sub-section 12(5)(a) substituted therefor and the existing clauses 12(5)(c) and (d) be relettered as clauses 12(5)(b) and (c);

12(5)(a) The Owners and Occupants of all lands within the City of Hamilton which are existing non-metered single family residential properties for which water rates are payable and which are not yet required to be metered under this By-law, and thus are not liable to pay metered water rates as set forth in Schedule "G" to this By-law, are liable to pay a non-metered annual rate as set forth in Schedule "A" to this By-law, until such time as the water meter and remote reading device is installed by the City.

27. That sub-section 12(6) of the By-law be repealed and the following sub-section 12(6) substituted therefor:

12(6) Water will be supplied at metered rates to travelling shows and for other temporary occasions upon application in writing accompanied by a deposit in the amount set forth in Section 1 of Schedule "C" to this By-law, consisting of a usage deposit and a damage deposit. The amount described in Section 1 of Schedule "C" to this By-law for connecting and disconnecting the temporary water service, as well as the per diem fee for the hydrant adapter and the amount due for water used shall be deducted from the usage deposit. Upon the water supply being disconnected, the net amount of the usage deposit is to be returned by the City to the water user, but if the amount of the usage deposit should be exhausted while the continuance of the supply is still required, the water supply will be shut off unless a further usage deposit in the amount set out in Section 1 of Schedule "C" to this By-law is received by the City. The damage deposit will be returned to the water user upon the water supply being disconnected and the water user returning the hydrant adapter to the City in good and working condition.

28. That sub-section 12(7) of the By-law be repealed and the following substituted therefor:

### **Water Filling Stations**

- (7)(a) Tank trucks may be supplied with water at the Public Water Filling Stations and rates identified in section 2 of Schedule "C" to this By-law.
- (7)(b) Private Water Filling Stations shall pay the following fees:
- (i) where the Private Water Filling Station is approved by the General Manager of Transportation, Operations and Environment after the coming into force and effect of this clause 12(7)(b), the one time permit fee set out in section 3 of Schedule "C" to this By-law, in addition to any





other applicable fees set out in this By-law related to the separate water service connection to the City's waterworks system;

- (ii) for all Private Water Filling Stations in existence prior to the coming into force and effect of this clause 12(7)(b), and for all new Private Water Filling Stations approved by the General Manager of Transportation, Operations and Environment under this By-law, the annual permit fee set out in section 3 of Schedule "C" to this By-law for inspection and monitoring by the City. Failure to obtain an annual permit will result in the disconnection of the Private Water Filling Station from the City's waterworks system, at the full cost and expense of the property owner; and
- (iii) the Commercial, Institutional and Industrial metered water rate set out in Schedule "G" to this By-law, except that the sanitary sewer surcharge will not be applied to those properties where a separate water service connection is established for a Private Water Filling Station provided that the separate water service connection is not used to provide water for any domestic purpose.

29. That sub-section 12(8) of the By-law be amended by deleting the words "section 3" in the last line of the sub-section and substituting the words "section 4" therefor.

30. That sub-section 12 (9) of the By-law be repealed and the following sub-sections 12(10), (11) and (12) be substituted therefor;

12(9) Where the Owner of the lands has failed to install a water meter and remote reading device as required under this By-law, the Owner or Occupant of the lands shall pay a non-metered rate calculated at three times the average rate of metered properties of similar size and type in the City until such time as the water meter and remote reading device are installed by the City.

12(10) Where the Owner of the lands has failed to permit the installation of a water meter and remote reading device by the City under this By-law, the Owner or Occupant of the lands shall pay a flat rate two times the average rate of metered properties of similar size and type until such time as the water meter and remote reading device are installed by the City.

12(11) Where the Owner or Occupant of the lands with an existing water meter refuses to permit the installation of a remote reading device by the City, the Owner or the Occupant of the lands shall pay two times the metered rate for that property based on estimated consumption until such time as a remote reading device is installed by the City.





12(12) Where the Owner or Occupant of the lands with an existing water meter refuses to allow access by the City to the water meter or water meter equipment for inspection or servicing, the Owner or Occupant shall pay two times the metered rate for that property based on actual or estimated consumption, as the case may be, until such time as the inspection or servicing is completed by the City.

31. That sub-section 13 (1) of the By-law be repealed and the following substituted therefor:

(1) Non-metered water rates are,

- (a) to be calculated on the basis of one cubic metre per day water consumption times the applicable water rate; and
- (b) in addition to any other remedies that the City may have for unpaid water rates, may be added to the collector's roll of the City of Hamilton in the same manner as taxes and are subject to the same discounts, interests and penalties as for taxes.

32. That sub-section 13(2) of the By-law be repealed and the following substituted therefor:

(2) Accounts for metered water rates are to be sent at any of such periods as are set forth in Schedule "G" to this By-law, by the General Manager of Finance and Corporate Services or by any other body acting on behalf of the General Manager of Finance and Corporate Services under an agreement with the City of Hamilton and if these account are sent by any other body, then the rates so collected are to be forwarded to the General Manager of Finance and Corporate Services within the time prescribed in such agreement

33. That subsection 13(3) of the By-law be repealed and the following substituted therefor:

(3) Effective October 2, 2002, late payment charges will be at the rate of 1.5% per month calculated daily on any overdue balance.

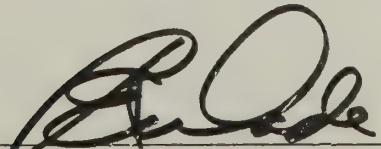
34. That subsection 13 (6) of the By-law be amended by deleting the words "section A and B of" in the last line of that sub-section.

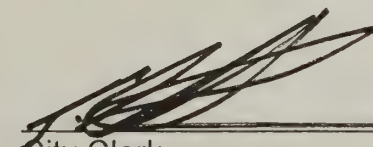
35. That clause 13(7)(a) of the By-law be amended by deleting the words "section 5, of" in the third to last line of that clause and by deleting the words "or water may be turned off where a meter has not been installed pursuant to Section 8 herein" at the end of that clause.

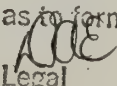


36. That sub-section 18(4) of the By-law be amended by deleting the words "section 6 of" in the fourth line of that sub-section and by deleting the words "section 7 of" in the last line of that sub-section.
37. Schedule "A" to the By-law is hereby repealed and the Schedule "A" attached to this By-law be substituted therefor.
38. Schedule "B" to the By-law is hereby repealed.
39. That Schedule "C" to the By-law is hereby repealed and the Schedule "C" attached to this By-law be substituted therefor.
40. That Schedule "E" to the By-law is hereby repealed and the Schedule "E" attached to this By-law be substituted therefor.
41. That Schedule "G" to the By-law is hereby repealed and the Schedule "G" attached to this By-law be substituted therefor.
42. In all other respects, the contents of By-law No. R84-026, as amended, are hereby confirmed unchanged.
43. That this By-law shall be deemed to have come into force and effect as of December 22, 2001, except that:
  - (a) Sections 23, 24, 25, 26, 27, 29, 31, 32, 34, 36 and 38 of this By-law and Schedules "A", "C" (sections 1,2 and 4), "E" (except for section 1(c) which came into effect on December 22, 2001) and "G" attached hereto shall be deemed to have come into force and take effect as of January 23, 2002;
  - (b) Sections 10, 11, 15, 28 and Schedule "C" (section 3) attached hereto shall be deemed to have come into force and take effect as of March 7, 2002; and
  - (c) Section 33 of this By-law shall be deemed to have come into force and take effect as of October 2, 2002.

PASSED AND ENACTED this 17th day of December, 2002.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

Approved  
as to form  
  
Legal  
Services



**SCHEDULE "A" TO BY-LAW NO. R84-026, AS AMENDED**

**NON-METERED WATER RATES  
EFFECTIVE JANUARY 23, 2002**

Water: City of Hamilton (geographic area of the former City of Hamilton and the former City of Stoney Creek as at December 31, 2000)

\$242.85 per annum, to be billed in installments

Note: Sanitary Sewer Surcharge Rate 100% of non-metered water rate





## SCHEDULE "C" TO BY-LAW NO. R84-026, AS AMENDED

### MISCELLANEOUS RATES FOR WATER

(Referred to in Section 12(6), (7) and (8))

#### 1. Travelling Shows and Other Temporary Occasions

The deposit required from travelling shows or applicants for other temporary occasions is Five Hundred Dollars (\$500.00), and consists of:

- (a) Two Hundred Dollars (200.00) as a usage deposit (to be applied to the cost of temporary connection/disconnection, the per diem rental cost for the hydrant adapter and the amount due for water used); and
- (b) Three Hundred Dollars (\$300.00) as a damage deposit (refundable upon return to the City of the hydrant adapter).

The fee for connecting and disconnecting the water service and for the hydrant adapter rental are set forth in Section 13 of Schedule "E" to this By-law and are in addition to the applicable metered water rate set out in Schedule "G" to this By-law

#### 2. Public Water Filling Stations

The rate payable for water supplied to tank trucks at the Public Water Filling Stations be \$0.924 per cubic metre or part thereof. The Public Water Filling Stations are located at:

- (i) Shaver Road, Ancaster
- (ii) Dartnall Road, Hamilton

#### 3. Private Water Filling Stations

The one time permit fee for new private water filling stations approved by the General Manager of Transportation, Operations and Environment is \$350.00 and is payable upon permit application.

The annual permit fee for both existing private water filling stations and new private water filling stations approved by the General Manager of Transportation, Operations and Environment is \$150.00 and is payable within one month of the notification by the City.



Schedule "C" continued

4. Areas Outside the City of Hamilton

The rate for water supplied to municipalities for the Owner or Occupant of any lands outside the City of Hamilton is the applicable meter rate set forth in Schedule "G" to this By-law, plus fifty per cent (50%) surcharge or such other surcharge as may be specifically defined in the agreement between the City and the municipality, Owner or Occupant of the lands outside the City of Hamilton.



**SCHEDULE "E" TO BY-LAW R84-026, AS AMENDED**

**TABLE OF FEES FOR VARIOUS SERVICES**

1. (a) Water Service Permit Fees \$50.00
- (b) Permit fees associated with the installation of water services, supply and installation of water meter and remote reading device, and superintending, as referred to in Section 4(1)(b) of Regional By-law R84-026, as amended, as of January 23, 2002:

| <i>Size of Water Meter</i> | <i>Fee</i> |
|----------------------------|------------|
| 16 mm diameter             | \$ 254.00  |
| 20 mm diameter             | 295.00     |
| 25 mm diameter             | 488.00     |
| 38 mm diameter             | 774.00     |
| 50 mm diameter             | 948.00     |
| 100 mm diameter (turbine)  | 2,140.00   |
| 100 mm diameter (compound) | 4,153.00   |
| 150 mm diameter (turbine)  | 4,222.00   |
| 150 mm diameter (compound) | 8,339.00   |
| 200 mm diameter (turbine)  | 6,119.00   |





Schedule "E" continued

- (c) Fees for supply and installation of water meter and remote reading device under Universal Metering Program as of December 22, 2001:

| <i>Size of Water Meter</i>  | <i>Fee</i>                                            |
|-----------------------------|-------------------------------------------------------|
| 16 mm diameter              | \$234.00                                              |
| 20 mm diameter              | \$260.00                                              |
| 25 mm diameter              | \$342.00                                              |
| 38 mm diameter              | \$665.00                                              |
| Greater than 38 mm diameter | Construction costs plus \$22.00 administration charge |

The fees payable under the Universal Metering Program by Owners of single-family residential properties may be paid to the City either in full or over a five year period, interest free, on the utility bill, with the option to repay all or part of those costs before the end of the five year period once the billing account has been established.

- |     |                                                                                                                                                                                       |           |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 2.  | Permit refund service charge - water ****                                                                                                                                             | \$20.00   |
| 3.  | For superintending the laying of a new water service                                                                                                                                  |           |
|     | a) Regular Inspection                                                                                                                                                                 | 47.00*    |
|     | b) Complex Development Inspection. This fee is in addition to the Regular Inspection Fee and is charged per service from the main meter of the development to each unit being served. | 47.00*    |
| 4.  | For superintending the laying of the water service after normal working hours                                                                                                         | 70.00*    |
| 5.  | For turning water off                                                                                                                                                                 | 47.00*    |
| 6.  | For turning water on                                                                                                                                                                  | 47.00*    |
| 7.  | For turning water on & off during the same call                                                                                                                                       | 56.00*    |
| 8.  | For turning water off and on due to non-payment (penalty extra)                                                                                                                       | 94.00*    |
| 9.  | For each Special Water Service to be connected as referred to in Section 4(18) of this By-law                                                                                         | 1,735.00* |
| 10. | Discharge of Special Water Service Agreements                                                                                                                                         | 210.00    |



Schedule "E" continued

11. Processing of Special Water Service Agreements 395.00
12. Flow test for fire-fighting design purposes 60.00\*
13. (a) For temporary connections and disconnections\*\*

| Size of Water Meter    | Usage Cost +<br>Connection/Disconnection<br>Fee |
|------------------------|-------------------------------------------------|
| 15 mm - 25 mm diameter | (Metered Water Rate)* +<br>\$ 60.00*            |
| 38 mm - 50 mm diameter | (Metered Water Rate)* +<br>88.00*               |
| 100 mm diameter        | (Metered Water Rate)* +<br>271.00*              |

- (b) For additional temporary connections and disconnections 100.00/visit  
(After Hours either visit)

- (c) Additional per diem charge for hydrant adapter rental 1.00/day

14. For poor pressure flow tests \*\*\* 25.00

15. Pool Charges-  
supplying water to pools having a capacity of more than  
5 cu.m. an annual charge of 58.00

16. Replacement Cost for Lost Meter:

| Size of Meter  | Cost     | 8%PST &<br>7% GST | Total    |
|----------------|----------|-------------------|----------|
| 16 mm diameter | \$ 73.75 | \$ 11.06          | \$ 84.81 |
| 20 mm diameter | 109.00   | 16.35             | 125.35   |
| 25 mm diameter | 135.20   | 20.28             | 155.48   |
| 38 mm diameter | 301.56   | 45.23             | 346.79   |



Schedule "E" continued

|                               |         |        |         |
|-------------------------------|---------|--------|---------|
| 50 mm diameter                | 402.48  | 60.37  | 462.85  |
| 100 mm diameter<br>(turbine)  | 1250.00 | 187.50 | 1437.50 |
| 100 mm diameter<br>(compound) | 2260.00 | 339.00 | 2599.00 |
| 150 mm diameter<br>(turbine)  | 2300.00 | 345.00 | 2645.00 |
| 200 mm diameter<br>(turbine)  | 3400.00 | 510.00 | 3910.00 |
| 200 mm diameter<br>(compound) | 6200.00 | 930.00 | 7130.00 |
| 250 mm diameter<br>(turbine)  | 6600.00 | 990.00 | 7590.00 |

17. Seasonal Water Meter:

|                         |         |
|-------------------------|---------|
| 15 mm to 25 mm diameter | 60.00*  |
| 38 mm to 50 mm diameter | 88.00*  |
| 100 mm plus diameter    | 278.00* |

18. Testing water meters, referred to in Section 9 of this By-law

|                          |           |
|--------------------------|-----------|
| 16 mm to 25 mm diameter  | \$ 91.00* |
| 38 mm to 50 mm diameter  | 139.00*   |
| 75 mm to 250 mm diameter | 318.00*   |

- |     |                                                                                                                      |                      |
|-----|----------------------------------------------------------------------------------------------------------------------|----------------------|
| 19. | Repair of broken meter                                                                                               | labour +parts (+GST) |
| 20. | For service calls other than previously specified                                                                    | 54.50*               |
| 21. | Service Call (After Hours)                                                                                           | 70.00*               |
| 22. | Service Fee for each missed appointment<br>or inspection not ready and completed followup<br>inspection (\$47/visit) | 94.00*               |
| 23. | Meter Open By-pass                                                                                                   | 300.00               |





Schedule "E" continued

|     |                                                                           |                              |
|-----|---------------------------------------------------------------------------|------------------------------|
| 24. | Account Set-up/Change Fee                                                 | 10.00                        |
| 25. | Special Reading Fee                                                       | 19.00                        |
| 26. | Account Breakdown (per year)                                              | 11.00*                       |
| 27. | Status Certificate Fee                                                    | 24.00                        |
| 28. | Transfer to Taxes for Non-Payment of Account                              | 22.50                        |
| 29. | Watermain Service Thawing – serviced by external contractor               | cost plus 33%                |
| 30. | Renewal of any permit set out in this Schedule "E" which has expired      | 31.50                        |
| 31. | Repair or Replace City Property<br>(Labour Materials and Equipment Costs) | Cost plus 33%                |
| 32. | Watermain Valve Shut Down and Recharge                                    | Cost plus 33%                |
| 33. | Processing of Landscaping Lease Arrangements                              | 395.00                       |
| 34. | Rental Rate for Landscaping Lease (Per Annum)                             | Case Dependent<br>No set fee |
| 35. | Status of Special Water Service Agreements – No Field Inspection          | 115.00                       |
| 36. | Status of Special Water Service Agreements – Field Inspection             | 162.00                       |

\* This charge includes GST.

\*\* This service requires a \$500.00 deposit (\$200 usage deposit and \$300 damage deposit)

\*\*\* This charge is applicable only on properties tested which have adequate water pressure flows and wish to be retested.

\*\*\*\* A service charge applies for each refund issued.



**SCHEDULE "G" TO BY-LAW NO. R84-026, AS AMENDED**

**TABLE OF METERED WATER RATES**

**EFFECTIVE JANUARY 23, 2002**

(Referred to in Section 12(2), (3) & (4) & 13(2))

**A) Minimum Charge**

The minimum charge per billing period, which constitutes a basic charge, including the use of the specified volume of water is as follows:

| <b>Residential<br/>Meter Size</b> | <b>Approved Bi-<br/>Monthly Rate</b> | <b>Minimum<br/>Volume/Bi-<br/>Monthly</b> | <b>Approved<br/>Monthly Rate</b> | <b>Minimum<br/>Volume/Month</b> |
|-----------------------------------|--------------------------------------|-------------------------------------------|----------------------------------|---------------------------------|
| 15mm to 20 mm                     | \$8.85                               | 10 m3                                     | \$4.42                           | 5 m3                            |

| <b>Commercial,<br/>Institutional &amp;<br/>Industrial<br/>Meter Size</b> | <b>Approved Bi-<br/>Monthly Rate</b> | <b>Minimum<br/>Volume/Bi-<br/>Monthly</b> | <b>Approved<br/>Monthly Rate</b> | <b>Minimum<br/>Volume/Month</b> |
|--------------------------------------------------------------------------|--------------------------------------|-------------------------------------------|----------------------------------|---------------------------------|
| 16 mm                                                                    | \$ 8.85                              | 10m3                                      | \$ 4.42                          | 5 m3                            |
| 20 mm                                                                    | \$ 8.85                              | 10m3                                      | \$ 4.42                          | 5m3                             |
| 25 mm                                                                    | \$ 46.77                             | 30m3                                      | \$ 23.39                         | 15m3                            |
| 38 mm                                                                    | \$ 51.97                             | 30m3                                      | \$ 25.98                         | 15m3                            |
| 50 mm                                                                    | \$ 61.78                             | 30m3                                      | \$ 30.89                         | 15m3                            |
| 75 mm                                                                    | \$107.06                             | 30m3                                      | \$ 53.53                         | 15m3                            |
| 100 mm                                                                   | \$137.13                             | 30m3                                      | \$ 68.57                         | 15m3                            |
| 150 mm                                                                   | \$242.64                             | 30m3                                      | \$121.32                         | 15m3                            |
| 200 mm                                                                   | \$418.95                             | 30m3                                      | \$209.47                         | 15m3                            |
| 250 mm                                                                   | \$644.99                             | 30m3                                      | \$322.49                         | 15m3                            |

| <b>Haldimand<br/>Meter Size</b> | <b>Approved Bi-<br/>Monthly Rate</b> | <b>Minimum<br/>Volume<br/>Monthly</b> | <b>Approved<br/>Monthly Rate</b> | <b>Minimum<br/>Volume/Month</b> |
|---------------------------------|--------------------------------------|---------------------------------------|----------------------------------|---------------------------------|
| 100 mm                          | \$205.70                             | 30 m3                                 | \$102.85                         | 15 m3                           |
| 150 mm                          | \$363.96                             | 30 m3                                 | \$181.98                         | 15 m3                           |
| 200 mm                          | \$628.42                             | 30 m3                                 | \$314.21                         | 15 m3                           |



Schedule "G" continued

B) Consumption Rate

The consumption charge for the amount of water used over and above the specified volume included in the Bi-Monthly Minimum Charge is as follows:

| Type of Water Service                                                                                  | Specified Volume Included in Billed Minimum Bi-Monthly Charge | Consumption Charge per Cubic Metre |
|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|------------------------------------|
| Residential                                                                                            | 10 m <sup>3</sup>                                             | \$0.616 > 10 m <sup>3</sup>        |
| Small Commercial                                                                                       | 10 m <sup>3</sup>                                             | \$0.616 > 10 m <sup>3</sup>        |
| Commercial, Institutional & Industrial (including Private Water Filling Stations approved by the City) | 30 m <sup>3</sup>                                             | \$0.616 > 30 m <sup>3</sup>        |
| Haldimand & Public Water Filling Stations                                                              | 30 m <sup>3</sup>                                             | \$0.924 > 30 m <sup>3</sup>        |

- C) Sanitary Sewer Surcharge Rate 100% of water consumption (applies to all metered residential, commercial, industrial and institutional water consumption)





## CITY OF HAMILTON

### BY-LAW NO. 02-378

#### To Amend the Waterworks By-law No. R84-026, as amended, and Implement the Water Rates and Fees for 2003

WHEREAS on the 20<sup>th</sup> day of March, 1984, the Council of The Regional Municipality of Hamilton - Wentworth enacted By-law No. R84-026, being a By-law respecting the management and maintenance of the waterworks system of The Regional Municipality of Hamilton - Wentworth and the establishment of water rates and charges;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", The Regional Municipality of Hamilton-Wentworth was dissolved on January 1, 2001 and the City of Hamilton stands in the place of The Regional Municipality of Hamilton-Wentworth for all purposes;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", every by-law of an old municipality, such as the former Regional Municipality of Hamilton-Wentworth, that is in force on December 31, 2000 shall be deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;

AND WHEREAS on the 11th day of December, 2002, the Council of the City of Hamilton did approve of Item 8 of Report 02-040 of the Hearings Sub-Committee and did thereby authorize the 2003 water rates and fees set out herein;

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. That the Regional Waterworks By-law No. R84-026, as amended (the "By-law") be further amended by repealing Schedules "A", "C" and "G" to the By-law and by substituting therefor the Schedules "A", "C" and "G" attached to this By-law.
2. In all other respects, the contents of By-law No. R84-026, as amended, are hereby confirmed unchanged.
3. That this By-law shall come into force and effect on January 1, 2003.

PASSED AND ENACTED this 17th day of December, 2002.

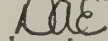


Mayor



Approved City Clerk

as to form

  
Legal  
Services



**SCHEDULE "A" TO BY-LAW NO. R84-026, AS AMENDED**

**NON-METERED WATER RATES  
EFFECTIVE JANUARY 1, 2003**

Water: City of Hamilton (geographic area of the former City of Hamilton and the former City of Stoney Creek as at December 31, 2000)

\$263.735 per annum, to be billed in installments

Note: Sanitary Sewer Surcharge Rate 100% of non-metered water rate



## SCHEDULE "C" TO BY-LAW NO. R84-026, AS AMENDED

### MISCELLANEOUS RATES FOR WATER EFFECTIVE January 1, 2003

(Referred to in Section 12(6), (7) and (8))

#### 1. Travelling Shows and Other Temporary Occasions

The deposit required from travelling shows or applicants for other temporary occasions is Five Hundred Dollars (\$500.00), and consists of:

- (a) Two Hundred Dollars (200.00) as a usage deposit (to be applied to the cost of temporary connection/disconnection, the per diem rental cost for the hydrant adapter and the amount due for water used); and
- (b) Three Hundred Dollars (\$300.00) as a damage deposit (refundable upon return to the City of the hydrant adapter).

The fee for connecting and disconnecting the water service and for the hydrant adapter rental are set forth in Section 13 of Schedule "E" to this By-law and are in addition to the applicable metered water rate set out in Schedule "G" to this By-law

#### 2. Public Water Filling Stations

The rate payable for water supplied to tank trucks at the Public Water Filling Stations be \$1.004 per cubic metre or part thereof. The Public Water Filling Stations are located at:

- (i) Shaver Road, Ancaster
- (ii) Dartnall Road, Hamilton

#### 3. Private Water Filling Stations

The one time permit fee for new private water filling stations approved by the General Manager of Transportation, Operations and Environment is \$350.00 and is payable upon permit application.

The annual permit fee for both existing private water filling stations and new private water filling stations approved by the General Manager of Transportation, Operations and Environment is \$150.00 and is payable within one month of the notification by the City.





Schedule "C" continued

4. Areas Outside the City of Hamilton

The rate for water supplied to municipalities for the Owner or Occupant of any lands outside the City of Hamilton is the applicable meter rate set forth in Schedule "G" to this By-law, plus fifty per cent (50%) surcharge or such other surcharge as may be specifically defined in the agreement between the City and the municipality, Owner or Occupant of the lands outside the City of Hamilton.



**SCHEDULE "G" TO BY-LAW NO. R84-026, AS AMENDED**

**TABLE OF METERED WATER RATES**

**EFFECTIVE JANUARY 1, 2003**

(Referred to in Section 12(2), (3) & (4) & 13(2))

**A) Minimum Charge**

The minimum charge per billing period, which constitutes a basic charge, including the use of the specified volume of water is as follows:

| <b>Residential<br/>Meter Size</b> | <b>Approved Bi-<br/>Monthly Rate</b> | <b>Minimum<br/>Volume/Bi-<br/>Monthly</b> | <b>Approved<br/>Monthly Rate</b> | <b>Minimum<br/>Volume/Month</b> |
|-----------------------------------|--------------------------------------|-------------------------------------------|----------------------------------|---------------------------------|
| 15mm to 20 mm                     | \$9.61                               | 10 m3                                     | \$4.80                           | 5 m3                            |

| <b>Commercial,<br/>Institutional &amp;<br/>Industrial<br/>Meter Size</b> | <b>Approved Bi-<br/>Monthly Rate</b> | <b>Minimum<br/>Volume/Bi-<br/>Monthly</b> | <b>Approved<br/>Monthly Rate</b> | <b>Minimum<br/>Volume/Month</b> |
|--------------------------------------------------------------------------|--------------------------------------|-------------------------------------------|----------------------------------|---------------------------------|
| 16 mm                                                                    | \$ 9.61                              | 10m3                                      | \$ 4.80                          | 5 m3                            |
| 20 mm                                                                    | \$ 9.61                              | 10m3                                      | \$ 4.80                          | 5m3                             |
| 25 mm                                                                    | \$ 50.79                             | 30m3                                      | \$ 25.40                         | 15m3                            |
| 38 mm                                                                    | \$ 56.44                             | 30m3                                      | \$ 28.22                         | 15m3                            |
| 50 mm                                                                    | \$ 67.09                             | 30m3                                      | \$ 33.55                         | 15m3                            |
| 75 mm                                                                    | \$116.27                             | 30m3                                      | \$ 58.13                         | 15m3                            |
| 100 mm                                                                   | \$148.93                             | 30m3                                      | \$ 74.46                         | 15m3                            |
| 150 mm                                                                   | \$263.50                             | 30m3                                      | \$131.75                         | 15m3                            |
| 200 mm                                                                   | \$454.98                             | 30m3                                      | \$227.49                         | 15m3                            |
| 250 mm                                                                   | \$700.45                             | 30m3                                      | \$350.23                         | 15m3                            |

| <b>Haldimand<br/>Meter Size</b> | <b>Approved Bi-<br/>Monthly Rate</b> | <b>Minimum<br/>Volume<br/>Monthly</b> | <b>Approved<br/>Monthly Rate</b> | <b>Minimum<br/>Volume/Month</b> |
|---------------------------------|--------------------------------------|---------------------------------------|----------------------------------|---------------------------------|
| 100 mm                          | \$223.38                             | 30 m3                                 | \$111.69                         | 15 m3                           |
| 150 mm                          | \$395.26                             | 30 m3                                 | \$197.63                         | 15 m3                           |
| 200 mm                          | \$682.46                             | 30 m3                                 | \$341.23                         | 15 m3                           |



Schedule "G" continued

B) Consumption Rate

The consumption charge for the amount of water used over and above the specified volume included in the Bi-Monthly Minimum Charge is as follows:

| Type of Water Service                                                                                  | Specified Volume Included in Billed Minimum Bi-Monthly Charge | Consumption Charge per Cubic Metre |
|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|------------------------------------|
| Residential                                                                                            | 10 m <sup>3</sup>                                             | \$0.669 > 10 m <sup>3</sup>        |
| Small Commercial                                                                                       | 10 m <sup>3</sup>                                             | \$0.669 > 10 m <sup>3</sup>        |
| Commercial, Institutional & Industrial (including Private Water Filling Stations approved by the City) | 30 m <sup>3</sup>                                             | \$0.669 > 30 m <sup>3</sup>        |
| Haldimand & Public Water Filling Stations                                                              | 30 m <sup>3</sup>                                             | \$1.004 > 30 m <sup>3</sup>        |

- C) Sanitary Sewer Surcharge Rate 100% of water consumption (applies to all metered residential, commercial, industrial and institutional water consumption)





THE CITY OF HAMILTON

BY-LAW NO. 02-379

To Confirm the Proceedings of City Council at its meeting held on December 17, 2002

THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:

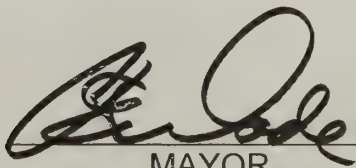
1. The Action of City Council at its meeting held on the 17<sup>th</sup> day of December, 2002 in respect of each recommendation contained in:

Report 02-044 of the Committee of the Whole,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 17<sup>th</sup> day of December, 2002



MAYOR



CITY CLERK



THE CITY OF HAMILTON

BY-LAW NO. 02-380

To Confirm the Proceedings of City Council at its meeting held on December 20, 2002

THE COUNCIL OF THE  
CITY OF HAMILTON  
ENACTS AS FOLLOWS:

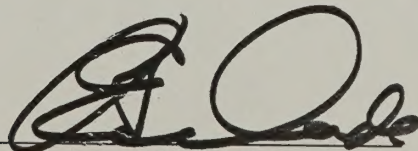
1. The Action of City Council at its meeting held on the 20<sup>th</sup> day of December, 2002 in respect of each recommendation contained in:

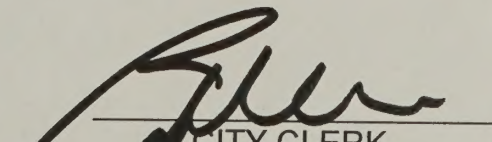
Report 02-045 of the Committee of the Whole,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 20<sup>th</sup> day of December, 2002

  
MAYOR

  
CITY CLERK

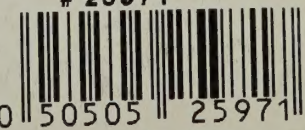






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